MEMORANDUM

To: Keith Baker
Ryan Wooten
Grady Gaubert
Tony Savoie
Shawn Ivey
Tom Harris
Ravelle Jones
Roger Bright

From: Denise Stafford

Accountant Administrator

RE: Motor Fuels Underground Storage Tank Trust Fund Advisory Board Meeting

Date July 31, 2012

This memorandum serves to remind you of the Motor Fuels Underground Storage Tank Trust Fund Advisory Board Meeting scheduled for:

Thursday, August 16, 2012 at 1:00 p.m. DEQ Headquarters – 602 N. 5th Street Galvez Building – Conference Center Oliver Pollock Room #C-111

If you have any questions or concerns, about the report or the meeting please contact Mr. Jeff Baker at (225) 219-3863. We look forward to seeing you at the meeting.

EDS/MAV Attachments

c: Jeff Baker

Denise Stafford Natalie Isaacks

Louisiana Motor Fuels Underground Storage Tank Trust Fund Advisory Board Meeting

AGENDA

Galvez Building, Conference Center Oliver Pollock Room #C-111 602 North 5th Street Baton Rouge, Louisiana

> -- August 16, 2012 1:00 P.M.

- 1. Call Meeting to Order
- 2. Roll Call
- 3. Consideration and Adoption of June 7, 2012, Board Minutes
- 4. Audit Status Report (Vince Sagnibene / Jeanne Weston)
- 5. Financial Services Report (Denise Stafford)
- 6. Trust Fund Status Report (Jeff Baker)
- 7. Third Party Claims Status (Perry Theriot)
- 8. Other Business
 - Consideration of tentative dates for board meetings in 2013

February 14, 2013 June 6, 2013

August 15, 2013

November 14, 2013

10. Close of Meeting

STATE OF LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND ADVISORY BOARD

The above-entitled meeting was held at the LDEQ, Galvez Building, Conference Center, 602 North 5th Street, Baton Rouge, Louisiana, beginning at 1:02 p.m., on June 7, 2012.

BEFORE:

Lori B. Overland Certified Court Reporter In and For the State of Louisiana

APPEARANCES

Grady Gaubert Chairman

Durwood Franklin
Keith Baker
Tom Harris
Roger Bright
Denise Stafford
Jeanne Weston
Alex Prochaska
Shawn Ivey
Jeff Baker
Perry Theriot
Vince Sagnibene

Melissa Vizinat
Andrea Huval
Shawn King
Rhonda Cook
Jennifer Boudreaux
Heather Pruett
Natalie Isaacks
Linda Hicks
Jason Efferson
Michael Trammel
Tegan Treadaway
Todd Perry

I N D E X

EXAMINATION:

PAGE(S):

None

EXHIBITS:

None

REPORTER'S PAGE

54

REPORTER'S CERTIFICATE

5 5

ASSOCIATED REPORTERS, INC.

1	* * * *
2	MR. GAUBERT:
3	Okay, Ladies and Gentlemen, it's
4	1:00 o'clock, so we're going to go ahead
5	and call the meeting to order. Can I get
6	a roll call, please. We'll start with
7	Keith.
8	MR. KEITH BAKER:
9	Keith Baker, Louisiana Oil
10	Marketers.
11	MS. STAFFORD:
12	Denise Stafford, DEQ Financial
13	Services.
14	MR. SAGNIBENE:
. 15	Vince Sagnibene. I'm the secretary.
16	MS. WESTON:
17	Jeanne Weston, Audit Services.
18	MS. VIZINAT:
19	Melissa Vizinat, DEQ Trust Fund.
20	MR. THERIOT:
21	Perry Theriot, DEQ Legal.
22	MR. FRANKLIN:
23	Durwood Franklin, DEQ Trust Fund.
24	MR. JEFF BAKER:
25	Jeff Baker, DEQ Trust Fund.

1	MR. HARRIS:
2	Tom Harris, Underground Storage Tank
3	and Remediation.
4	MR. BRIGHT:
5	Roger Bright, Jones Environmental.
6	MR. IVEY:
7	Shawn Ivey, PPM Consultants.
8	MR. GAUBERT:
9	Grady Gaubert, Louisiana Oil
10	Marketers.
. 11	MS. HICKS:
12	Linda Hicks, PPM.
13	MS. COOK:
14	Rhonda Cook, PPM Consultants.
15	MS. ISAACKS:
16	Natalie Isaacks, Louisiana Oil
17	Marketers.
18	MS. TREADAWAY:
19	Tegan Treadaway, DEQ.
20	MR. PROCHASKA:
21	Alex Prochaska, DEQ.
22	MR. KING:
23	Shawn King, Jones Environmental.
24	MR. TRAMMEL:
25	Michael Trammel, Jones

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1
         Environmental.
 2
         MS. BOUDREAUX:
 3
               Jennifer Boudreaux, UST and
         Remediation.
         MS. PRUETT:
 6
               Heather Pruett, SEMS.
 7
         MR. EFFERSON:
               Jason Efferson, DEQ Trust Fund.
 9
         MS. HUVAL:
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               Andrea Huval, DEQ Trust Fund.
11
         MR. GAUBERT:
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               Thank all of you for being here.
         The next order of business is the
13
         consideration and adoption of our
14
         previous meetings minutes. I think I'll
15
16
         need a motion to accept those minutes.
         MR. HARRIS:
17
               I make a motion.
18
         MR. GAUBERT:
19
20
               Tom made a motion. I need a second.
21
         MR. BRIGHT:
               Second.
22
         MR. GAUBERT:
23
               Second. All in favor?
24
         (All responded "Aye".)
25
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1	MR. GAUBERT:
2	Any opposed, or any comments?
3	(No response.)
. 4	MR. GAUBERT:
5	Okay. Mr. Vince, you have the
6	audit status report, is that right? Is
7	that you?
8	MR., SAGNIBENE:
9	That's Jeanne.
10	MR. GAUBERT:
11	Ms. Jeanne Weston. They had your
12	name down here for some reason.
13	MR. SAGNIBENE:
14	They've got my name on everything
15	probably.
16	MR. GAUBERT:
17	Yes. Ms. Jeanne?
18	MS. WESTON:
19	Okay. For the audits, the total
20	number of audits that are open files, we
21	have 19. Eight of those are in legal.
22	Eight of them are complete, and they have
23	to be closed. We still have one RAC
24	report that's kind of back and forth
25	discussion. And we have two distributors

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1
         that have audits that are in progress.
 2
               And for the fiscal year, I was going
 3
         to tell you that we've collected
         $35,712.34 as of this time.
 5
         MR. GAUBERT:
               That's $35,000 --
 6
 7
         MS. WESTON:
 8
               $35,712.34.
 9
         MR. GAUBERT:
               And that's because of the audits?
10
11
         MS. WESTON:
12
               That's what we collected on our
         audits as of this week.
13
         MR. GAUBERT:
14
15
               Okay. And there's a few more going
16
         on as we speak?
         MS. WESTON:
17
18
               Right.
         MR. GAUBERT:
19
20
               Any other?
21
         MS. WESTON:
               That's it.
22
         MR. GAUBERT:
23
24
               Okay. Thank you for that. Any
25
         questions or comments for Ms. Jeanne?
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1 No response.)

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MR. GAUBERT:

Okay. Ms. Denise, can we have the financial services report, please?

MS. STAFFORD:

Yes, we can. Turn to tab five in your packets. For the fiscal year '12, we've transferred in from fiscal year '11, \$52,966,514.78. Year to date, we've warranted for payments as of March 31st, \$9,064,751.84. The ending balance before encumbrances and obligations is \$60,533,159.56. Liabilities at March 31st is \$84,495,866, with an ending month balance of a negative \$24,962,706.44. Detailed information about the monthly reimbursement payments is at the bottom of the page.

If you turn the page, we have the update on the interest only money that covers inactive and abandoned tanks.

Currently, if you'll -- right in the middle of the page, those are balances with reimbursements. And it's currently at \$5,117,149.52 available to pay on

1	those sites. Any questions so far?
2	(No response.)
3	MS. STAFFORD:
4	Turn the page again. This is the
5	quarterly summary of what we expect to
6	transfer from the motor fuel trust fund
· 7	to the environmental trust fund at the
8	end of this fiscal year. The third
9	column gives you a total of actual and
10	projected. And we're projecting
11	\$2,068,673.93 for the transfer this year.
12	The remaining columns show you history in
13	the past several years of what we've
14	transferred. And the \$2,068,000 is in
15.	line with average of the last several
16	years.
17 .	MR. GAUBERT:
18	Okay. Thank you for does that
19	conclude your report?
20	MS. STAFFORD:
21	Yes, it does.
22	MR. GAUBERT: ·
23	Okay. Thank you. One question on
24	the transfer of the money from the trust

fund to the environmental trust fund,

there's a concern about the transparency
of that, and what encompasses the -- that
money. What --

MS. STAFFORD:

How did we calculate it?

MR. GAUBERT:

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Yes. How did you calculate the \$2,068,000? What -- the \$2,068,000 is improvement last year. It's a lesser amount of money. Maybe we can have maybe just a little discussion about the -- what encompasses the \$2.68 million.

MS. STAFFORD:

Sure. What we do is, we calculate the revenues coming in on UST related activities. So that's the environmental trust fund fees on registrations is the first line, which is roughly \$700,000 a year. We also collect federal grants. And those are totaling, we expect, \$3.3 million this year so far. For a total revenue of \$4,074,000. And I'm falling down -- just if you look at the third column, I'm going line by line. So what we do is, we calculate the revenue coming

- And then we analyze the expected expenditures for the year. encompassed in those expenditures is all the tank type activities that the employees are charging where they do tank activity work, both in motor fuel trust fund, staff that's in financial services, as well as the UST remediation staff that work on tank sites and tank inspections. So all those are getting charged.
 - Any activities related to those grants are charged to a grant tracking code.

 And that's what those expenditures are,

 \$3.5 million.

We also calculate a 30 percent indirect rate to cover things that are related to, but not charged directly to, the tank program like my time. I don't charge out. But I do work with the motor fuel trust fund. Legal staff, other support services, IT support services in the department. That is an average indirect rate.

MR. SAGNIBENE:

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1
                What is EPA's indirect rate?
 2
          MS. STAFFORD:
                46.
 3
          MR. SAGNIBENE:
 .5
                So we're charging less.
 6
          MS. STAFFORD:
                Yes. And that's historically what
 8
          we charge.
          MR. GAUBERT:
10
                What was --
          MR. SAGNIBENE:
11
               I asked her what was EPA's indirect
12
13
         rate. And it's 46 percent. And we
14
          charge them what, 30?
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         MS. STAFFORD:
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               Yes.
17
         MR. GAUBERT:
18
               So 46 percent.
19
         MR. SAGNIBENE:
20
               That's EPA's rate.
21
         MR. GAUBERT:
               And we're 30 --
22
23
         MR. SAGNIBENE:
24
               Right.
25
         MS. STAFFORD:
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1	And then there's a small amount of
2	UST site specific expenditures. Those
3	would be specific sites that we code out
4	to that we're tracking their activities.
5	So anyway, we total the revenue and
6	the expenditures and get a difference.
7	So where the revenue does not cover the
8	program expenditures, that's the amount
9	by statute that can be transferred from
10	the motor fuel trust fund to the
11	environmental trust fund. So we
12	calculate it based on actual revenue and
13	actual expenditures. Complete
14	transparency, we can give any
15	documentation anyone would ask for, for
16	those costs and revenues.
17	MR. SAGNIBENE:
18	We have (inaudible) numbers for all
19	that stuff, right?
20	MS. STAFFORD:
21	Yes. We
22	MR. SAGNIBENE:
23	Time
24	MS. STAFFORD:
25	Employees code out on their time

- sheets specifically to the activity they're working on.
- 3 MR. SAGNIBENE:

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So basically, just tell us what you want and we can get it for you.

MR. GAUBERT:

Yes, sir. I understand. The one question I think that I would ask is that, do you see any issues with the way it's calculated at this time changing into the future? You know, there's some other activity going on with, you know, the legislature trying to get into, you know, sweeping, you know, the ETF, I think we'll talk about a little bit later. But as far as the way this is calculated, any significant change that you foresee into the future? Maybe -- I think this question may be directed more toward, to Vince, that to where we, you know, we're about \$2 million per year.

MR. SAGNIBENE:

23 Yes.

MR. GAUBERT:

25 Anything that would substantially

1	affect the \$2 million per year?
2	MR. SAGNIBENE:
3	No.
4	MR. GAUBERT:
5	Any other costs associated with it?
6	MR. SAGNIBENE:
7	. No. The sweeps wouldn't affect that
8	because they can't sweep ya'll's program
9	to start off with, because UST is
10	protected by statute.
11	MR. GAUBERT:
12	Just to get that on the record. We
13	wanted to make that clear that in lieu of
14	what we're going to talk about in a
15	little while, the HB822, that that part
16	of it is an inner department transfer.
17	And we want it to be clear that that
18	would remain intact.
19	MR. SAGNIBENE:
20	His concern is not going to be 1.9
21	plus 2. The answer is no.
22	MS. STAFFORD:
23	No.
24	MR. GAUBERT:

Right. Okay. Any other questions

25

- for Ms. Denise? Comments?
 (No response.)
- 3 MR. GAUBERT:
- Thank you very much, Ms. Denise, for that report.
- 6 MS. STAFFORD:
- 7 You're welcome.
- 8 MR. GAUBERT:

9 Mr. Jeff Baker will give us the 10 trust fund status report. And I think 11 also he's going to talk about the 12 guidance document revision. Jeff, before 13 we let you go into that, I would just 14 like to thank all of the people that were 15 involved in putting this revision 16 together. I think it's a great 17 accomplishment in the history of the 18 trust fund. The RACs worked together. 19 The department worked together. 20 was a lot of input, a lot of time spent, 21 a lot of voluntary time. And I would 22 just like; to thank all the people that 23 were involved to get to this point. And I think it's been a little over a year 24 25 probably that we've been working on it.

It was in your predecessor's time and
then the ball was handed off to you. And
you kept it going, which we appreciate.
So with that, if you could give us the
report, please.

MR. JEFF BAKER:

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Okay. Let's start with the Sure. trust fund control document. The revised trust fund control document was distributed via email to the board and the work group on May 4, 2012. The email also included a proposal for the guidance document's implementation date of April 1, 2012. One comment was received and addressed, correcting the document relating to the work group agreed upon one-year warranty period for trenches and wells. A revised version was sent to the board and the work group on May 21, 2012. Subsequently, minimal comments have been received relating to the document. all of these have been addressed, most typos and issues of that nature.

Also, no comments have been received relating to the -- related to the

1 proposed implementation date of April 1, 2 2012. Thus, the department recommends 3 the adoption of the new cost control guidance document with an implementation 5 date relating to all work done after 6 April 1, 2012. MR. GAUBERT: 8 Okav. 9 MR. JEFF BAKER: 10 So we're making that proposal to the 11 board. MR. SAGNIBENE: 12 13 Can I say something? 14 MR. GAUBERT: 15 Yes. 16 MR. SAGNIBENE: 17 We just -- you know, we tried to get 18 this out to everybody. We've sent out 19 several emails. We want to make sure 20 everybody's okay with this because we 21 believe in work groups. Ya'll give us 22 different perspectives. And we use it

for not only UST, we use it for waste

24 tires also. But we want to make sure

everybody's okay. Because we don't want

1	to go forward with this, then somebody's
2	going to raise their hand and say, "Well,
3	I didn't get to comment or I didn't get
4	to," you know, "to input." But we did
5	everything we can, you know, to
6	communicate that. I mean, have ya'll
7	heard any different?
8	MR. GAUBERT:
9	The discussions that we've had, you
10	know, not on record
11	MR. SAGNIBENE:
12	Yes.
13	MR. GAUBERT:
14	just off the record with the
15	interested parties, the consensus that
16	I've got is that I think the document is
17	acceptable. I don't know I'm not
18	sure, somebody else may be able to, you
19	know, say if it will be okay retroactive
20	to April 1st or if it needs anything
21	else. I mean, we can take a vote from
22	the board if it's okay to make it
23	retroactive. Is that your question?
24	MR. JEFF BAKER:

Yes, sir.

25

MR. GAUBERT:

- To make it retroactive back to April
- 3 lst. Do we need a vote on that? I think
- 4 we need to vote on that.
- 5 MR. JEFF BAKER:
- 6 Yes, sir.
- 7 MR. SAGNIBENE:
- 8 Let me ask Jeff. Jeff, tell them
- 9 why you want it retroactive back to April
- 10 1st.
- MR. JEFF BAKER:
- Well, we felt that we were delaying
- the process. And we wanted to go ahead
- and give everybody the opportunity to
- have comments. But also, we didn't want
- to delay the implementation of some of
- 17 the new unit prices and whatnot. The
- applications for this period won't start
- 19 coming in until after July 1st anyway.
- 20 So this is -- the work that's being done
- 21 after April 1st, we won't start getting
- 22 applications for until July 1st. So we
- felt it was okay to go back to April 1st.
- MR. GAUBERT:
- Okay. And does that give you enough

time to let the RAC community know that
the -- you know, their invoicing and so
forth would be under the new guidance
document, which went into effect on April
1st?

MR. JEFF BAKER:

-20:

Well, our goal is to go ahead and post this on the website this afternoon, if the board agrees. And we will announce the dates and the times. Now, we can send emails out to the entire RAC community, if the board wishes.

MR. GAUBERT:

I'd like to maybe get input from the RAC community even from the audience, if anybody with the RAC has any opposition to that, or if it's acceptable. If you understand it, or you have any questions about it.

---MR. -- IVEY:-----

I went through it with a finetoothed comb and looked at it as far as
our invoicing goes to see is there any
problem with it going back to April 1st,
and I don't see any issues with it at

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          all. I'd say implement it as is.
 2
          MR. GAUBERT:
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                Retroactive to April 1st?
 4
          MR. IVEY:
 5
                Yes.
 6
          MR. BRIGHT:
 7
                I'd agree.
          MR. GAUBERT:
 9
                Òkay.
10
          MR. BRIGHT:
11
                I think an email, though, to the
12
          RACs would be good.
13
          MR. JEFF BAKER:
14
                Okay.
15
          MR. BRIGHT:
16
                That way it's, you know, making sure
17
          it's in everybody's face out there.
18
          MR. SAGNIBENE:
               And we'll post it on the website,
19
20
          too.
         MR. JEFF BAKER:
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22
               Yes, it'll be posted this afternoon
23
         or first thing in the morning. And we
24
         will send out an email to the RAC
25
         community.
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1	MR. SAGNIBENE:
2	Jeff, isn't the RACs expecting this?
3	MR. JEFF BAKER:
4	Yes, sir.
5	MR. SAGNIBENE:
6	I mean, wasn't it kind of their idea
7	to go back to April on some of the
8	things?
9	MR. JEFF BAKER:
10	No. It was kind of a consensus of
11	the group.
12	MR. SAGNIBENE:
13	Of the group? Okay.
14	MR. GAUBERT:
15	Can I get an official vote on that?
16	The vote would be to implement the new
17	guidelines retroactive to April 1st. All
18	in favor?
19	(All responded "Aye".)
20	MR. GAUBERT:
21	Any opposed?
22	(No response.)
23	MR. GAUBERT:
24	I think it's unanimous that we go
25	back to April 1st and implement the

1 revisions to the guidance document.

MR. JEFF BAKER:

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Okay. As to the status, beginning in the third quarter, a number of quality control queries were written and created and run to determine the active trust fund sites that were potentially NFA'd or The trust fund staff otherwise closed. had begun to use these reports to review these sites in our electronic document management system to determine their current status. This effort is helping the trust fund to locate and close a number of NFA'd sites or closed sites that have been active in our data system. These efforts are ongoing and should be completed in the next few months. will have an impact on the reported number of active sites in our database, and will also have an impact on the estimated potential liability calculation for the active sites without caps.

MR. GAUBERT:

Can you go over that one more time for me. I missed it.

1 MR. JEFF BAKER:

2 Okay.

3 MR. SAGNIBENE:

4 Explain it a little bit simpler.

5 MR. GAUBERT:

6 Yes.

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MR. JEFF BAKER:

Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually closed and NFA'd. An example of one of the reports would be active sites that we haven't received an application for in the last five years, or more. Some of these were five, eight, seven years old where we had not received an application. That list was given to the staff. And they've been going through our document · records to determine whether NFAs had been done on them or whether they've been closed in some other manner. Often the -- what we often key off of is the last application. They'll check off the last app. But often, that doesn't get done.

1 .	They won't check it off, because they
2	think there might be another application
3	coming down the line. So this was a way
4	for us to kind of go through and check
5	and see sites that were actually closed
6	that were active in our system. And a
7	number of them were ones that were deemed
8	active without caps. Because an
9	investigation had been done and they've
10	been recapped out, or some other
11	mechanism. So this is just us cleaning
12	up our database.
13	MR. GAUBERT:
14	Okay. I got it this time. Okay.
15	So that was a cleanup?
16	MR. JEFF BAKER:
17	Yes, sir. That's kind of where we
18	are.
19	MR. GAUBERT:
20	Okay. And how will it affect some
21	funding?
22	MR. JEFF BAKER:
23	Well, it's going to affect the
24	liability calculation for the active
25	without caps. Right now what we're doing

1	is, we're taking the total number of
2	those sites, estimating what an average
3	site would cost, and using that to
4	develop a liability cost estimate for the
5	obligation.
6	MR. SAGNIBENE:
7	So, Jeff, this forces them into
8	giving us a plan basically, right?
9	MR. JEFF BAKER:
10	Sir?
11	MR. SAGNIBENE:
12	This forces them into giving us a
13	plan for cleanup?
14	MR. JEFF BAKER:
15	Not this aspect of it. No, sir.
16	What we're doing right now, this is a
17	data cleanup. What you're talking about
18	is the other issue we were dealing with
19	with the
20	MR. SAGNIBENE:
21	Yes. Sorry, I was confused.
22	MR. JEFF BAKER:
23	But what this does is, it helps us
24	to give a more accurate depiction of what
25	our obligation is to the legislature.

T	MS. STAFFORD:
2	Do you remember in the last couple
3	of quarters, we have reported additional
· 4	liabilities? You know, they went up
5	drastically because we had not been
6	counting a liability on the sites without
7 .	caps. And we started adding that
8	calculation in. So what this is going to
9	result in is a change as we pull sites
10	out of that because they're NFA'd. It'll
11	reduce the liabilities.
12	MR. GAUBERT:
13	Okay. So it'll reduce our
14	liabilities, right?
15	MS. STAFFORD:
16	Yes.
17	MR. GAUBERT:
18	Do you have an idea or estimate of
19	what that amount would be?
20	MR. JEFF BAKER:
21	Not right now. We're
22	MR. SAGNIBENE:
23	Well, how many sites, Jeff? Do you
24	know how many sites have fallen?
25	MS. STAFFORD:

DEPARTMENT OF ENVIRONMENTAL QUALITY

1	How many so far? We're not done
2	with our data cleanup, but
3	MR. JEFF BAKER:
4	We're still in the process of the
5	data cleanup. But we've so far knocked
6	it from somewhere around 330 plus sites
7	to around 170 plus sites.
8	MR. GAUBERT:
9	About half. About almost 50
10	percent.
11	MS. STAFFORD:
12	Yes.
13	MR. JEFF BAKER:
14	It's about 50 percent of that
15	particular classification, yes, sir.
16	MR. GAUBERT:
17	You have about 170 sites left to go?
18	MR. JEFF BAKER:
19	That are currently in our system
20	that are active without caps.
21	MR. GAUBERT:
22	And that continues to be worked on?
23	MR. JEFF BAKER:
24	We're continuing to work on that
25	list The other aspect of this

1	determination is a lot of right now,
2	it's not active in our system until we
3	receive the first application. However,
4	there are sites that have been deemed
5	eligible, but we haven't received an
6	application on yet. So we're also
7	looking at ways of bringing them into
8	this determination as well.
9	MR. GAUBERT:
10	Are any of these considered slow
11	sites, or is that something separate?
12	MR. JEFF BAKER:
13	No, sir. Those sites are in this
14	batch.
15	MR. GAUBERT:
16	That'd be slow to close beyond
17	acceptable
18	MR. JEFF BAKER:
19	Yes, sir.
20	MR. GAUBERT:
21	means, sites that are within
22	MR. BAKER:
23	Right. But that was one of the
24	reasons we wanted to do this was to help
25	us isolate those sites and not bring in

sites that have actually already been closed or NFA'd. We didn't want to confuse the issue.

MR. GAUBERT:

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Okay. Vince, are we going to -- you know, I know there's an issue about slow sites that I think we want to get to in maybe the other business.

MR. SAGNIBENE:

Yes. I think that's the next thing he was going to talk about. What he did is, he did a data pull and pulled a bunch of sites that basically we were spending a lot of money on and we didn't have a plan yet, you know. And we require four quarters of information. And what we're going to do is on those sites -- I mean, some of them stick out. Basically, if you have four quarters of information and you don't have a plan or an extenuating circumstance, we're going to hold the money. No more evaluations, you know. Because, I mean, if you want to just study something and study something, you can chew into the budget, you know.

. 1	MR. GAUBERT:
2	Right.
3	MR. SAGNIBENE:
4	And I think Tom's people I don't
5	know if he knows this or not but he's
6	going to take the lead on that.
7	MR. HARRIS:
8	Okay.
9	MR. SAGNIBENE:
10	Because Tom was we talked to Tom
11	about it. He was very gracious to jump
12	into this thing.
13	MR. GAUBERT:
14	Is it something that we want to talk
15	about right now, Jeff, the slow sites, or
16	you want to continue on with your report.
17	MR. SAGNIBENE:
18	It doesn't make a difference.
19	MR. GAUBERT:
20	O k a y .
21	MR. JEFF BAKER:
22	Well, I mean, at this point what we
23	were trying to do is develop some
24	protocols for how to deal with that. So
25	we actually weren't prepared to speak on

DEPARTMENT OF ENVIRONMENTAL QUALITY

- 1 that today. But we can.
- 2 MR. SAGNIBENE:
- Well, we're going in that direction
- is what we're going to do with the slow
- 5 sites.
- 6 MR. GAUBERT:
- 7 Yes. Let's let you finish your
- 8 report, and then let's have a discussion
- 9 maybe around that.
- MR. SAGNIBENE:
- 11 Okay.
- 12 MR. JEFF BAKER:
- 13 Actually, that's finishing up the
- 14 status report and the guidance document
- 15 revision. We can go into the balance
- 16 explanation now, if you'd like.
- MR. GAUBERT:
- 18 Okay. Any questions on that part of
- 19 it from anybody?
- 20 (No response.)
- MR. GAUBERT:
- Let's go into the balance.
- 23 · MR. JEFF BAKER:
- Let's refer to tab six of your
- 25 packets. These are the figures for the

1	third quarter of the fiscal year 2012.
2	At the end of March of 2012, the trust
3	fund had 138 pending applications to
4	process. The trust fund received 318
5	applications during this period, totaling
6	\$3,570,067. During that period, 38
7	applications were returned with
8	deficiencies. The trust fund processed
9	220 applications for payment during the
10	fiscal quarter, totaling \$3,164,783. The
11	outstanding corrective action plan budget
12	and estimated cost to reach closure for
13	all the sites in the corrective action
14	phase at the end of March was
15	\$32,099,153. The additional obligation
16	recognized for the non-capped sites at
17	that time was \$52,804,811. The total
18	amount requested for the 138 pending
19	applications was \$1,624,514. The total
. 20	amount of the corrective action plans and
21	the pending applications was \$1,032,612.
22	If you'll note the legal sized page,
23	the last page of your packet, the total
24	number of trust fund sites that have
25	received a no further action status

during this period is 26. The number of potential trust fund sites that were reviewed and made eligible in this period was two.

MR. GAUBERT:

Okay. Any questions?

(No response.)

MR. GAUBERT:

Okay. Thank you for that report,

Jeff. Any comments on any other -- does
that complete your report?

MR. JEFF BAKER:

13 Yes, sir. It sure does.

MR. GAUBERT:

Okay. Thank you very much. I was notified a little earlier that when we get to Mr. Theriot's part, we're going to have to go into executive session for about five minutes and we would have to ask non-board members or non, I guess, department personnel that are pertaining to this to leave the room for about five minutes while we go into executive session. And then we'll come get you in a few minutes. So I think that would be

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1
          ya'll guys out in the audience.
  2
          (A brief recess followed.)
 3
          MR. THERIOT:
                All right. And as the last part of
          our report that doesn't have to be in
 6
          executive session, we've received no new
 7
          third party claims, since our last
          meeting.
 9
          MR. GAUBERT:
10
               Okay. Very good.
                                   Did we lose
          Vince?
11
          MS. ISAACKS:
12
13
              He's talking to Todd.
         MR. GAUBERT:
14
              Okay. I think the next -- I thought
15
16
         we lost you there for a minute, Vince.
17
         MR. SAGNIBENE:
18
               Oh, no.
19
         MR. GAUBERT:
20
               Okay.
                      Thank you, Perry, for your
21
         report. Moving to other business right
22
         now, there's a few items in other
23
         business I think we need to discuss and
24
         get on the record. And, Vince, if you
25
         could, I think this question would be for
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you, is, if you could discuss HB822, the
sweep fund into the ETF and so forth.

MR. SAGNIBENE:

They swept \$1.9 million from us. And that's part of the cuts. know it was a very contentious session. Everybody took some big hits. Basically having some money, some cash fall that we had, okay. And a lot of people concerned, did they sweep the UST fund? They cannot sweep the UST fund. It's in statute. That eight-tenths of a cent ya'll pay per gallon goes in there. It cannot be -- it can't be touched. Now, they can sweep the ETF fund. But ya'll make up one percent of that. So ya'll's share would have been like \$1,900. So, I mean, it didn't affect ya'll. It didn't affect anyone actually because every expenditure has to go through Denise and Every contract goes through us. And we've saved over \$3 million in those cost saving measures, you know. We've cut -you know, we cut 70 vehicles. We cut folks. We've cut -- I mean, it's forced

- us to be more efficient. So it didn't
 affect ya'll's fund at all.
- 3 MR. GAUBERT:

Are there any questions for Vince 5 around HB822? And does everybody understand what HB822 is? It's a -- the 6 legislature is sweeping the environmental trust fund and -- to the tune of, what, \$2.1 million and something. It was \$1.9, 10 and then it was raised \$250,000. And, 11 you know, the consensus is that it will 12 not touch the underground storage tank 13 trust fund.

MR. SAGNIBENE:

No, it won't.

MR. GAUBERT:

14

17 All right. It's only coming out of 18 the environmental trust fund?

MR. SAGNIBENE:

Well, actually it's cash balance brought forward.

MR. GAUBERT:

23 And there was some concern that that
24 was a round about way for the legislature
25 to get to the trust fund by sweeping the

1	environmental trust fund, and then the
2	environmental trust fund reimbursing
3	the underground storage tank trust fund
4	reimbursing the environmental trust fund.
5	And your opinion is that's not the case
6	at all?
7	MR. SAGNIBENE:
8	That is not the case at all. And
9	we've had several discussions about our
10	(inaudible) funds. And the commissioner
11	and everyone knows they can't sweep that
12	fund.
L3	MR. GAUBERT:
L 4	Right. It's protected.
L5	MR. SAGNIBENE:
L 6	They've been pretty generous to us
L 7	on the sweeps. I must admit. Because we
L8	you know, in the environmental trust
19	fund, we get about \$55 million. That's
20	where all our fees go. And the only
21	thing that ya'll contribute is the
22	registration, which is about \$670,000.
23	MR. GAUBERT:
24	Right.

MR. SAGNIBENE:

1	Eight-tenths of a cent goes into the
2	UST fund, which is protected.
3	MR. GAUBERT:
4	It's not our deal when the
5	legislators would sweep the environmental
6	trust fund. But, you know, again our
7	concern is the underground storage tank -
. 8	_
9	MR. SAGNIBENE:
10	And I explained it to them. I
11	explained it to them like this. I said
12	this is an insurance policy for the tank
13	owners. If something happens, they pull
14	on this policy.
15	MR. GAUBERT:
16	Right.
17	MR. SAGNIBENE:
18	And I turned the question around. I
19	said, if you pay your insurance premiums
20	and you get in a wreck and you get sued,
21	and they said you don't have any
22	insurance, how would you feel? And
23	everybody understands that.
24	MR. GAUBERT:
25	Right. We wanted to get that clear.

Okay. Any questions for Vince around 822?

3 (No response.)

MR. GAUBERT:

Okay. Another issue we had in other business is what we talked about earlier, the slow sites, you know. So we can have a little discussion around that. My understanding is that there's some sites that are just sitting out there with just -- you know, with no -- not -- not no further action. That's the wrong term to use. But there's no action happening on the sites. And they're just continuing, to draw funds out of the trust fund. And I think you are looking for ways or means to help to speed up that process.

MR. SAGNIBENE:

And that's what -- Jeff likes to do data pulls, which is a good thing. He pulled up five pages of sites like that ranging from \$298,000 to \$289 that we didn't think was moving fast enough.

And, Tom, you can correct me if I'm wrong, but I think in the past what we've

1 done, we got four quarters of information 2 and then we wanted a plan. And if that 3 hadn't happened, or if there's no extenuating circumstances, we're not 5 going to pay anymore until you come up 6 with some sort of corrective action. And 7 I think we're going to charge the team 8 leader in looking that over. And Tom --9 we talked it over with Tom. And Tom 10 thought it was a good idea, too. So he's 11 into it also.

MR. HARRIS:

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And right now, we're just at the point of exactly how we trigger that and how we track it. You know, provisions for extenuating circumstances, and a little common sense where it applies.

MR. SAGNIBENE:

And we'll listen to anybody. You know, we'll listen to anybody, you know, that has a good -- some good circumstances. But we thought the best way, I guess, to make everybody compliant, to push them along, was just to basically say we're not going to pay

```
1
         anymore, you know, unless ya'll can come
 2
         up with something else.
 3
         MR. IVEY:
               Can we get a list of those sites?
 4
         MR. SAGNIBENE:
 5
               Yes.
 6
 7
         MR. GAUBERT:
 8
               Does the guidance document have a
 9
         provision in there to address that?
         MR. JEFF BAKER:
10
11
               No.
12
         MR. SAGNIBENE:
13
               Jeff is saying no.
14
         MR.
             THERIOT:
               One of the concerns you have about
15
16
         the slow sites, as you talked about, is a
17
         legal basis for telling people that look,
18
         you're taking too long to get this job
19
                  This statute does have a
         going.
20
         provision in it that requires us to pay
         people for work they've done on an
21
22
         eligible site: So the question legally
         is whether you can tell someone who's
23
         done work on an eligible site, look,
24
25
         we're not going to pay you because you've
```

1 . waited too long to do this. There is a 2 provision in the law that says that the 3 department approves the most efficient and cost-effective manner of cleaning up 4 5 the site. Generally, if the site sits 6 too long, you get the contamination plume 7 spreads larger, and it can become more 8 expensive to clean up. So we could look 9 at some of those things for speeding up, 10 like because we can say that this isn't 11 the most efficient or cost-effective way, 12 so you don't get paid for that. 13 we're looking at those things now. 14 MR. IVEY: 15 Well, isn't there a provision in the 16 guidance document that was just added 17 that if the site is slow and something is 18 requested by the department and not 1.9 received that it might not pay for money 20 passed that. It's on the first page, new 21 edition to the new quidance document. 22 MR. JEFF BAKER:

I don't recall that. I'll have to

24

23

25

MR. IVEY:

1	It kind of addresses the slow sites.
2	MR. JEFF BAKER:
3	I'll have to go back and research
4	MR. THERIOT:
5	We may've made statement's like that.
6	MR. IVEY:
7	Yes.
8	MR. THERIOT:
9	The enforceability of those .
10	statements though is
11	MR. IVEY:
12	It's in there. It's in the guidance
13	document.
14	MR. BAKER:
15	I think what you're referring to is
16	this paragraph. It says, "Because there
17	is a limited amount of funds available to
18	perform cleanups, it is necessary to
19	control costs for investigation/
20	remediation activities. The purpose of
21	this guidance document is to provide
22	members of the regulated community and
23	those involved in providing service to
24	them with general information concerning

the trust fund, as well as specific

- information regarding allowable and nonallowable costs acceptable rates." I'm
 not --
- MR. IVEY:
- No. It was on the first page.
- 6 MR. JEFF BAKER:

All right. I got you. Here it is. 8 "Time is of an essence. Releases shall be assessed and moved to remediation as 10 soon as possible to stop the spread of 11 contamination. Extension requests for 12 required submittal shall not be granted unless for reasons such as force 13 14 (inaudible) events, e.g. hurricanes, 15 tornadoes, floods, fires, et cetera, or 16 for the department's request for further 17 investigation and/or data evaluation. Failure to meet submittal deadlines may 18 19 result in increased costs incurred to the 20 trust fund and diminish the cost effectiveness of the corrective action. 21 22 Therefore, failure to timely submit the 23 required report may result in enforcement . 24 action and/or determination by the department to disallow the work for the 25

trust fund reimbursement." 1 2 MR. IVEY: That kind of addresses the slow 3 sites. MR. FRANKLIN: 5 And we're looking at putting that 6 language in some of our form letters that 7 go out to responsible parties. 8 MR. THERIOT: Right. 10 MR. GAUBERT: 11 But it would be difficult to 12 pinpoint to four quarters of activity and 13 with no correction plan in place. You 14 know, the statement is -- it's an 15 ambiguous statement. It's open-ended. 16 It doesn't, you know, drill down to say 17 it's four quarters and then we're going 18 to stop. And I think that would be 19 really difficult to do. So that would 20 seem more of an enforcement or 21 encouragement type process to the RAC 22 community. 23 24 MR. SAGNIBENE:

We don't want to do an enforcement.

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1	We want to do an encouragement.
2	MR. IVEY:
.3	Well, it's going to be in the site
4	investigation request with a cap request
5	letter. It's going to tell you if you
6	don't get this in by this date, we're not
7	going to pay you.
8	MR. SAGNIBENE:
9	And the team leader should be on top
10	of that. Whomever the team leader is
11	knows how many quarters of information we
12	have on what site.
13	MR. GAUBERT:
14	Yes.
15	MR. IVEY:
16	When can we get a list that you
17	have?
18	MR. JEFF BAKER:
19	We can send it to ya'll tomorrow.
20	MR. SAGNIBENE:
21	We have a partial list now.
22	MR. GAUBERT:
23	So the action will be to keep the
24	slow sites that you have, you know, to
25	get that out to the RAC community to help

```
1
         speed that along, and with an
 2
         encouragement.
         MR. JEFF BAKER:
 3
               Are you asking us to send it to the
 5
         board members or --
         MR. SAGNIBENE:
 7
               You want a list of facilities or a
         list of who the RAC is?
 8
         MR. IVEY:
 9
10
               Just a list of the facilities.
11
         MR. SAGNIBENE:
12
               Okay. We got that. We have a
13
         partial list. We can get you that.
14
         MR. JEFF BAKER:
      ____So_what_you're asking us -- for us
15
16

    to create this list and send it to the

17
         board members?
18
         MR. GAUBERT:
19
               No. To the RAC -- to all RACs, or
20
         to the board? What did you request?
21
         MR. IVEY:
22
               I would say to all RACs.
23
         MR. BRIGHT:
24
               I mean, at least they know that
25
         they're on the list.
```

1 MR. GAUBERT:

11 .

19.

Okay. The entire RAC community is not an issue. The entire RAC community -- you know, one of the sites would be the RAC that's assigned to that site would see that their site is on that list and do something to speed it up.

MR. IVEY:

Right. They would need to contact their team leader and get something done.

MR. GAUBERT:

Okay. Thank you for that. The legislative -- there was a question brought up about the legislative audit. And I think we missed a little earlier. Is that ongoing?

MS. STAFFORD:

Actually, we have had the exit conference, the exit meeting with the legislative auditors. We're finalizing a few documents. It should be released fairly soon. They have the distribution list. The board will be getting it. The board that served for the fiscal year ending June 30, 2011, the current board

```
1
         as well. So all members will be getting
 2
         that document. It hasn't been released
 3
         yet. I will get a -- an email when it
              But I expect it very soon. Probably
         a couple of weeks.
 5
         MR. GAUBERT:
 6
 7
               Okay. Thank you.
 8
         MS. STAFFORD:
 9
               Oh, and there were no findings.
10
         was a clean audit. So you'll know that.
11
         MR. GAUBERT:
               Okay. Great. Yes. Any other
12
13
         business that anybody would like to bring
         in front of the board today?
14
15
         (No response.)
16
         MR. GAUBERT:
17
               If I'm not mistaken, I think there
18
         was a meeting after this meeting on the
19
         stage two program. Is that still on, or
         is that --
20
21
         MS. STAFFORD:
               Yes.
22
23
         MR. GAUBERT:
               Okay. Is that in this room?
24
         MR. PROCHASKA:
25
```

1	Yes.
2	MS. STAFFORD:
3	If you have questions.
4	MR. GAUBERT:
5	Informal meeting after this.
6	Interested parties for stage two will be
7	after this.
8	If there's no other business to
9	bring before the board, I'll ask for
10	somebody to make a motion to adjourn.
11	MR. HARRIS:
12	Motion to adjourn.
13	MR. GAUBERT:
14	Mr. Tom.
15	MR. KEITH BAKER:
16	Second.
17	MR. GAUBERT:
18	We stand adjourned. Thank you.
19	THE MEETING ADJOURNED AT 1:52 P.M.
20	* * * *

•	KET OKIEK 5 FAGE
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I, the undersigned reporter, do hereby certify that the above and foregoing is a true and correct transcription of the stenomask tape of the proceedings had herein, taken down by me and transcribed under my supervision, to the best of my ability and understanding, at the time and place hereinbefore noted, in the above entitled cause.

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I further certify that my license is in good standing as a court reporter in and for the state of Louisiana. \wedge

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In The Matter Of:

MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND ADVISORY BOARD

DEPARTMENT OF ENVIRONMENTAL QUALITY June 7, 2012

Associated Reporters Inc.

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<u>. </u>	\$9,064,751.84 (1)		added (1)	26:14,17,24;27:2;
\$	9:11		45:16	31:3,6
<u>_</u>		4	- adding (1)	applications (8)
01 020 (10 (1)	1	4 443	29:7	21:18,22;35:3,5,7,
\$1,032,612 (1)		4 (1)	additional (2)	9,19,21
35:21	1 (3)	18:11		1 ' '
\$1,624,514 (1)	18:14;19:1,6	46 (3)	29:3;35:15	applies (1)
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S1.9 (2)	1:00 (1)		18:15,22	approves (1)
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	170 (2)	822 (1)	16:1,7;27:20,23;	aspect (2)
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9:15	19 (1)		afternoon (2)	assessed (1)
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289 (1)	1st (12)	97083 (1)	again (2)	assigned (1)
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3 (1)			agreed (1)	audience (2)
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35:6	2011 (1)	accept (1)	4:4;21:13;22:7	auditors (1)
3.3 (1)	51:25	6:16	Alex (1)	51:20
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26:4	spreads (1)	36:13	54:13	trigger (1)
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24;45:5,5,17;49:3,	12:7,8,21;25:8;	15;40:11;41:5	47:22	
12;51:5,6	26:18	sweeping (3)	times (1)	10:6,7,24,25;11:17;
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10:1;12:9;14:3;	4:11,12;9:5;10:3,	sweeps (2)	tires (1)	17:10,18;18:8,9;
25:7,10,14,14,19,22;	20;11:4,13;13:2,6,	16:7;40:17	19:24	25:6,8,13;35:2,4,8,
26:10,13;27:5;28:2;	15,25;14:20,24;	swept (1)	today (2)	24;36:2;39:8,13,18,
29:6,9,23,24;30:6,7,	16:22;17:6;29:1,15,	38:4	34:1;52:14	25;40:1,2,3,4,18;
-17;31:4 , 1·1,13,21 , 25;			Todd (1)	41:6;42:15;46:25;
32:1,7,13,17;33:15;	21;53:2	54:7	37:13	47:20;48:1
34:5;35:13,16,24;	stage (2)	system (6)		trying (2)
36:2;42:7,9,14,21;	52:19;53:6	25:11,15;26:11;	together (3)	15:13;33:23
	•		17:16,18,19	tune (1)
11.4 16.46.1.40.4.	letonal(I)	1 7776 (1119 (117	1 T 10\	
44:4,16;46:1;48:4; 49:24;51:4	stand (1) 53:18	27:6;30:19;31:2	Tom (9) 5:2;6:20;33:10,10;	39:8

In The Matter Of:

MOTOR FUELS UNDERGROUND STORAGE TANK TRUST FUND ADVISORY BOARD

DEPARTMENT OF ENVIRONMENTAL QUALITY June 7, 2012

Associated Reporters Inc.
2431 South Acadian Thruway
Suite 550
Baton Rouge, LA 70808
(225) 216-2036 Fax (225) 216-2220

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1 2 3			1	INDEX	
Į 3	STATE OF LOUISIANA		2	EXAMINATION:	PAGE (S) :
4	DEPARTMENT OF ENVIRONMENTAL QUALITY		3	None	
5	MOTOR FUELS UNDERGROUND STORAGE TANK TRUST		4		
6	FUND ADVISORY BOARD		5	EXHIBITS:	
7			6	None .	
8			7	REPORTER'S PAGE	54
9			В	REPORTER'S CERTIFICATE	55
10			9		
11			10	* * .* *	
12			11	•	
13	The above-entitled meeting was held at the LDEQ, Galvez Building, Conference		12		
14	Center, 602 North 5th Street, Baton Rouge, Louisiana, beginning at 1:02 p.m., on June		13		
15	7, 2012.		14		
16			15	•	
17	·		16		
18			17		
19			18		
20	BEFORE:		19	·	
l	Lori B. Overland Certified Court Reporter		20		
21	In and For the State of Louisiana	•	21		
22			22		
23			23	•	
24			24		
25			25		
	· · · · · · · · · · · · · · · · · · ·	Page 2	<u> </u>		Page 4
1	APPEARANCES				
2			1	* * * *	
3	Grady Gaubert Chairman		2	MR. GAUBERT:	
4	Durwood Franklin		3	Okay, Ladies and Gentlemen, it's	
5	Keith Baker Tom Harris		5	1:00 o'clock, so we're going to go ahead and call the meeting to order. Can I get	
6	Roger Bright Denise Stafford			a roll call, please. We'll start with	ı
7	Jeanne Weston Alex Prochaska		6	Keith.	
8	Shawn Ivey Jeff Baker		8	MR. KEITH BAKER:	
. 9	Perry Theriot Vince Sagnibene	i	9	Keith Baker, Louisiana Oil	1
10	Melissa Vizinat		10	Marketers.	
11	Andrea Huval Shawn King		11	MS. STAFFORD:	
12	Rhonda Cook Jennifer Boudreaux	,	12	Denise Stafford, DEQ Financial	
13	Heather Pruett Natalie Isaacks		13	Services.	
14	Linda Hicks Jason Efferson		14	MR. SAGNIBENE:	-
15	Michael Trammel Tegan Treadaway		15	Vince Sagnibene. I'm the secretary.	
16	Todd Perry		16	MS. WESTON:	
17			17	Jeanne Weston, Audit Services.	`
18			18	MS. VIZINAT:	•
19		,	19	Melissa Vizinat, DEQ Trust Fund.	
20			20	MR. THERIOT:	
21			21	Perry Theriot, DEQ Legal.	
22			22	MR. FRANKLIN:	
23			23	Durwood Franklin, DEQ Trust Fund.	
24			24	MR. JEFF BAKER:	
25			25	Jeff Baker, DEQ Trust Fund.	
	·	. }		-	İ

, u n	7, 2012				
		Page 5			Page 7
1	MR HARRIS:		1	MR. GAUBERT:	
2	Tom Harris, Underground Storage Tank		2	Any opposed, or any comments?	
3	and Remediation.		3	(No response.)	
4	MR. BRIGHT:		4	MR. GAUBERT:	
5	Roger Bright, Jones Environmental.		5	Okay. Mr. Vince, you have the	
6	MR. IVEY:		6	audit status report, is that right? Is	
7	Shawn Ivey, PPM Consultants.	i	7	that you?	
8	MR. GAUBERT:		8.	MR. SAGNIBENE:	
9	Grady Gaubert, Louisiana Oil		9	That's Jeanne.	
0	Marketers.	1	10	MR. GAUBERT:	
1	MS. HICKS:	:	11	Ms. Jeanne Weston. They had your	
. 2	Linda Hicks, PPM.	:	12	name down here for some reason.	
3	MS. COOK:	:	13	MR. SAGNIBENE:	
4	Rhonda Cook, PPM Consultants.	1:	14	They've got my name on everything	
5	MS. ISAACKS:	1:	15	probably.	
6	Natalie Isaacks, Louisiana Oil	ſ	16	MR. GAUBERT:	
7	Marketers.		17	Yes. Ms. Jeanne?	
8	MS. TREADAWAY:	ì		MS. WESTON:	
9	Tegan Treadaway, DEQ.		19	Okay. For the audits, the total	
20	MR. PROCHASKA:	i	20	number of audits that are open files, we	
	Alex Prochaska, DEQ.		21	have 19. Eight of those are in legal.	
21	MR. KING:		22	Eight of them are complete, and they have	
	Shawn King, Jones Environmental.	l	23	to be closed. We still have one RAC	
?3	MR. TRAMMEL:		24	report that's kind of back and forth	
24	Michael Tranmel, Jones	i	25	discussion. And we have two distributors	
25	Michael Hallanel, Jones				
		Page 6			Page 8
1	Environmental.		1	that have audits that are in progress.	
2	MS. BOUDREAUX:		2	And for the fiscal year, I was going	
3	Jennifer Boudreaux, UST and	ŀ	3	to tell you that we've collected	
4	Remediation.	İ	4	\$35,712.34 as of this time.	
5	MS. PRUETT:		5	MR. GAUBERT:	
6	Heather Pruett, SEMS.		6	That's \$35,000 -	
7	MR. EFFERSON:		7	MS. WESTON:	
8		1			
0	Ison Efferson DEO Trust Fund		8	\$35.712.34.	
o	Jason Efferson, DEQ Trust Fund. MS_HUVAL:		8	\$35,712.34. MR. GAUBERT:	
9	MS. HUVAL:		9	MR. GAUBERT:	
10	MS. HUVAL: Andrea Huval, DEQ Trust Fund.	1	9 10	MR. GAUBERT: And that's because of the audits?	
10	MS. HUVAL: Andrea Huval, DEQ Trust Fund. MR. GAUBERT:		9 10 11	MR. GAUBERT: And that's because of the audits? MS. WESTON:	
10 11 12	MS. HUVAL: Andrea Huval, DEQ Trust Fund. MR. GAUBERT: Thank all of you for being here.		9 10 11 12	MR. GAUBERT: And that's because of the audits? MS. WESTON: That's what we collected on our	
10 11 12 13	MS. HUVAL: Andrea Huval, DEQ Trust Fund. MR. GAUBERT: Thank all of you for being here. The next order of business is the		9 10 11 12 13	MR. GAUBERT: And that's because of the audits? MS. WESTON: That's what we collected on our audits as of this week.	
10 11 12 13	MS. HUVAL: Andrea Huval, DEQ Trust Fund. MR. GAUBERT: Thank all of you for being here. The next order of business is the consideration and adoption of our		9 10 11 12 13	MR. GAUBERT: And that's because of the audits? MS. WESTON: That's what we collected on our audits as of this week. MR. GAUBERT:	
10 11 12 13 14	MS. HUVAL: Andrea Huval, DEQ Trust Fund. MR. GAUBERT: Thank all of you for being here. The next order of business is the consideration and adoption of our previous meetings minutes. I think I'll		9 10 11 12 13 14	MR. GAUBERT: And that's because of the audits? MS. WESTON: That's what we collected on our audits as of this week. MR. GAUBERT: Okay. And there's a few more going	
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		Page 9			Page 11
1	No response.)		1	there's a concern about the transparency	
2	MR. GAUBÉRT:		2	of that, and what encompasses the - that	
3	Okay. Ms. Denise, can we have the		3	money. What -	
4	financial services report, please?		4	MS. STAFFORD:	
5	MS. STAFFORD:		5	How did we calculate it?	
6	Yes, we can. Turn to tab five in		6	MR. GAUBERT:	
7	your packets. For the fiscal year '12,		7	Yes. How did you calculate the	
8	we've transferred in from fiscal year		8	\$2,068,000? What - the \$2,068,000 is	
9	'11, \$52,966,514.78. Year to date, we've		9	improvement last year. It's a lesser	
10	warranted for payments as of March 31st,		10	amount of money. Maybe we can have maybe	
11	\$9,064,751.84. The ending balance before		11	just a little discussion about the -	
12	encumbrances and obligations is		12	what encompasses the \$2.68 million.	
13	\$60,533,159.56. Liabilities at March		13	MS. STAFFORD:	
14	31st is \$84,495,866, with an ending month		14	Sure. What we do is, we calculate	
15	balance of a negative \$24,962,706.44.		15	the revenues coming in on UST related	
16	Detailed information about the monthly		16	activities. So that's the environmental	
17	reimbursement payments is at the bottom		17	trust fund fees on registrations is the	
18	of the page.		18	first line, which is roughly \$700,000 a	
19	If you turn the page, we have the		19	year. We also collect federal grants.	
20	update on the interest only money that		20	And those are totaling, we expect, \$3.3	
21	covers inactive and abandoned tanks.		21	million this year so far. For a total	
22	Currently, if you'll - right in the		22	revenue of \$4,074,000. And I'm falling	•
23	middle of the page, those are balances		23	down - just if you look at the third	
24	with reimbursements. And it's currently		24	column, I'm going line by line. So what	
25	at \$5,117,149.52 available to pay on		25	we do is, we calculate the revenue coming	
	2. 05,11,,			ac 15, taleatast 10 to co. 12.15	
		Page 10			Page 12
1	those sites. Any questions so far?		1	in. And then we analyze the expected	
2	(No response.)		2	expenditures for the year. And	
3	MS. STAFFORD:	,	3	encompassed in those expenditures is all	,
4	Turn the page again. This is the		4	the tank type activities that the	
5	quarterly summary of what we expect to	`	5	employees are charging where they do tank	İ
6	transfer from the motor fuel trust fund		6	activity work, both in motor fuel trust	
7	to the environmental trust fund at the		7	fund, staff that's in financial services,	
8	end of this fiscal year. The third		8	as well as the UST remediation staff that	
9	column gives you a total of actual and		9	work on tank sites and tank inspections.	
10	projected. And we're projecting	•	10	So all those are getting charged.	
11	\$2,068,673.93 for the transfer this year.		11	Grant work is the next expenditure.	
12	The remaining columns show you history in		12	Any activities related to those grants	
13	the past several years of what we've		13	are charged to a grant tracking code.	
14	transferred. And the \$2,068,000 is in		14	And that's what those expenditures are,	
15	line with average of the last several		15	\$3.5 million.	İ
16	years.		16	We also calculate a 30 percent	
17	MR. GAUBERT:		17	indirect rate to cover things that are	1
18	Okay. Thank you for does that		18	related to, but not charged directly to,]
19	conclude your report?		19	the tank program like my time. I don't	i
20	MS. STAFFORD:		20	charge out. But I do work with the motor	ļ
21	Yes, it does.		21	fuel trust fund. Legal staff, other	
22	MR. GAUBERT:		22	support services, IT support services in	ļ
23	Okay. Thank you. One question on		23	the department. That is an average	
24	the transfer of the money from the trust			• ••	1
	· · · · · · · · · · · · · · · · · · ·		24	indirect rate.	1
25	fund to the environmental trust fund,		24 25	MR. SAGNIBENE:	

June	7, 2012	_		14NK 1K031 F0ND ADVISOR	DOAND
		Page 13			Page 15
1	What is EPA's indirect rate?	!	1	sheets specifically to the activity	
1 2	MS. STAFFORD:		2	they're working on.	
3	46.	1	3	MR. SAGNIBENE:	
4	MR. SAGNIBENE:	i	4	So basically, just tell us what you	
5	So we're charging less.	İ	5	want and we can get it for you.	
6	MS. STAFFORD:		6	MR. GAUBERT:	
7	Yes. And that's historically what		7	Yes, sir. I understand. The one	
8	we charge.		8	question I think that I would ask is	
9	MR. GAUBERT:		9	that, do you see any issues with the way	
10	What was -	1	10	it's calculated at this time changing	
11	MR. SAGNIBENE:	1	11	into the future? You know, there's some	
12	I asked her what was EPA's indirect	1	12	other activity going on with, you know,	
13	rate. And it's 46 percent. And we	. 1	13	the legislature trying to get into, you	
14	charge them what, 30?	1	14	know, sweeping, you know, the ETF, I	
15	MS. STAFFORD:		15	think we'll talk about a little bit	
16	Yes.	i -	16	later. But as far as the way this is	
17	MR. GAUBERT:	ļ	17	calculated, any significant change that	
18	So 46 percent.		18	you foresee into the future? Maybe - 1	
19	MR. SAGNIBENE:		19	think this question may be directed more	
20	That's EPA's rate.	- 1	20	toward, to Vince, that to where we, you	
21	MR. GAUBERT:		21	know, we're about \$2 million per year.	
22	And we're 30		22	MR. SAGNIBENE:	
23	MR. SAGNIBENE:		23	Yes.	
24	Right.		24	MR. GAUBERT:	
25	MS. STAFFORD:		25	Anything that would substantially	
	740. 0771. TORB.			,,g	
		Page 14			Page 16
١.	A - data at a sada a a - all amount of		,	affect the \$2 million per year?	
1	And then there's a small amount of	1	1	MR. SAGNIBENE:	
2	UST site specific expenditures. Those		2	No.	
3	would be specific sites that we code out		4	MR. GAUBERT:	
4	to that we're tracking their activities.		5	Any other costs associated with it?	
5	So anyway, we total the revenue and		6	MR. SAGNIBENE:	
6	the expenditures and get a difference. So where the revenue does not cover the		7	No. The sweeps wouldn't affect that	
7	program expenditures, that's the amount		8	because they can't sweep ya'll's program	
8			9	to start off with, because UST is	
9	by statute that can be transferred from	١,	_	protected by statute.	
10	the motor fuel trust fund to the environmental trust fund. So we		10	MR. GAUBERT:	
11			11		
12	calculate it based on actual revenue and		12	Just to get that on the record. We wanted to make that clear that in lieu of	
13	actual expenditures. Complete	1	13		
14	transparency, we can give any		14	what we're going to talk about in a	
15	documentation anyone would ask for, for		15	little while, the HB822, that that part	
16	those costs and revenues.		16	of it is an inner department transfer.	
17	MR. SAGNIBENE:		17	And we want it to be clear that that	
18	We have (inaudible) numbers for all		18	would remain intact.	
19	that stuff, right?		19	MR. SAGNIBENÉ:	
20	MS. STAFFORD:		20	His concern is not going to be 1.9	
21	Yes. We -		21	plus 2. The answer is no.	
	MR. SAGNIBENE:	}	22	MS. STAFFORD:	
22					
23	Time -	i	23	No.	
	Time - MS. STAFFORD: Employees code out on their time]:	23 24 25	No. MR. GAUBERT: Right. Okay. Any other questions	

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		Page 17	'	-	Page 19
1	for Ms. Denise? Comments?			proposed implementation date of April 1,	
2	? (No response.)	,	1:	2 2012. Thus, the department recommends	
3	MR. GAUBERT:			the adoption of the new cost control	
4	Thank you very much, Ms. Denise, for		4	guidance document with an implementation	
5	that report.		1		
6	MS. STAFFORD:		6		
7	You're welcome.		-		
8	MR. GAUBERT:) E	Okay.	
9	Mr. Jeff Baker will give us the		وا		
10	trust fund status report. And I think		10	_	
11	also he's going to talk about the		111		
12	guidance document revision. Jeff, before		12	MR. SAGNIBENE:	
13	we let you go into that, I would just		13		
14	like to thank all of the people that were		14	<u> </u>	
15	involved in putting this revision		15		
16	together. I think it's a great		16		
17	accomplishment in the history of the	•	17		
18	trust fund. The RACs worked together.		18	We just - you know, we tried to get this out to everybody. We've sent out	
19	The department worked together. There		19	several emails. We want to make sure	ı
20	was a lot of input, a lot of time spent,	•	20		
21	a lot of voluntary time. And I would		21	everybody's okay with this because we	
22	just like to thank all the people that		22	believe in work groups. Ya'll give us	
23	were involved to get to this point. And		1	different perspectives. And we use it	
24	I think it's been a little over a year		23	for not only UST, we use it for waste	
25	probably that we've been working on it.		24	tires also. But we want to make sure	
	probably that we've been working on it.		25	everybody's okay. Because we don't want	
		Page 18			Page 20
1	It was in your predecessor's time and	İ	1	to go forward with this, then somebody's	
2	then the ball was handed off to you. And		2	going to raise their hand and say, "Well,	
3	you kept it going, which we appreciate.		3	I didn't get to comment or I didn't get	ŀ
4	So with that, if you could give us the		4	to," you know, "to input." But we did	-
5	report, please.	•	5	everything we can, you know, to	ľ
6	MR. JEFF BAKER:		6	communicate that. I mean, have ya'll	. 1
7	Sure. Okay. Let's start with the		7	heard any different?	
8	trust fund control document. The revised		8	MR. GAUBERT:	- 1
9	trust fund control document was		9	The discussions that we've had, you	
0	distributed via email to the board and	1	10	know, not on record -	
1	the work group on May 4, 2012. The email		11	MR. SAGNIBÉNE:	į
2	also included a proposal for the guidance		12	Yes.	i
3	document's implementation date of April		13	MR. GAUBERT:	ľ
4	1, 2012. One comment was received and		14	just off the record with the	
5	addressed, correcting the document	1	15	interested parties, the consensus that	
6	relating to the work group agreed upon		16	I've got is that I think the document is	!
7	one-year warranty period for trenches and	1	17	acceptable. I don't know - I'm not	[
8	wells. A revised version was sent to the	1	18	sure, somebody else may be able to, you	
9	board and the work group on May 21, 2012.	1	19	know, say if it will be okay retroactive	1
0	Subsequently, minimal comments have been		20	to April 1st or if it needs anything)
	received relating to the document. And	1	20 21	else. I mean, we can take a vote from	
	all of these have been addressed, most		22	the board if it's okay to make it	
	typos and issues of that nature.	į.	23	retroactive. Is that your question?	
4	Also, no comments have been received		24	MR. JEFF BAKER:	
5	relating to the - related to the	Į.	25	Yes, sir.	
	<u> </u>	[1		, co, an.	
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une	7, 2012			TANK TRUST FUND AUTISUN	
		Page 21			Page 23
1	MR. GAUBERT:		1	all. I'd say implement it as is.	
2	To make it retroactive back to April		2	MR. GAUBERT:	
3	1st. Do we need a vote on that? I think		3	Retroactive to April 1st?	
4	we need to vote on that.		4	MR. IVEY:	
5	MR. JEFF BAKER:		5	Yes.	
6	Yes, sir.		6	MR. BRIGHT:	
7	MR. SAGNIBENE:		7	l'd agree.	-
, 8	Let me ask Jeff. Jeff, tell them		8	MR. GAUBERT:	
9	why you want it retroactive back to April	j	9	Okay.	
0	Isl.		10	MR. BRIGHT:	
1	MR. JEFF BAKER:		11	I think an email, though, to the	•
2	Well, we felt that we were delaying		12	RACs would be good.	
	the process. And we wanted to go ahead	į	13	MR. JEFF BAKER:	
3	and give everybody the opportunity to		14	Okay.	
4	have comments. But also, we didn't want		15	MR. BRIGHT:	
.5	to delay the implementation of some of		16	That way it's, you know, making sure	
6			17	it's in everybody's face out there.	
7	the new unit prices and whatnot. The		18	MR. SAGNIBENE:	
.8	applications for this period won't start	,	19	And we'll post it on the website,	
9	coming in until after July 1st anyway.		20	too.	
20	So this is - the work that's being done		21	MR. JEFF BAKER:	
21	after April 1st, we won't start getting		22	Yes, it'll be posted this afternoon	
	applications for until July 1st. So we		23	or first thing in the morning. And we	
23	felt it was okay to go back to April 1st.		24	will send out an email to the RAC	
24	MR. GAUBERT: Okay. And does that give you enough		25	community.	
25	Okay. And does that give you chough				
		Page 22			Page 2
	time to let the RAC community know that		1	MR. SAGNIBENE:	
1			2	Jeff, isn't the RACs expecting this?	
2	the - you know, their invoicing and so		3	MR. JEFF BAKER:	
3	forth would be under the new guidance		4	Yes, sir.	
4	document, which went into effect on April		5	MR. SAGNIBENE:	
5	1st?		6	I mean, wasn't it kind of their idea	
6	MR. JEFF BAKER:		7	to go back to April on some of the	
7	Well, our goal is to go ahead and		8	things?	
8	post this on the website this afternoon,		9	MR. JEFF BAKER:	
9	if the board agrees. And we will		-	No. It was kind of a consensus of	
10	announce the dates and the times. Now,		10	the group.	
11	we can send emails out to the entire RAC		11	MR. SAGNIBENE:	
12	community, if the board wishes.		12	Of the group? Okay.	
13	MR. GAUBERT:		13	MR. GAUBERT:	
14	I'd like to maybe get input from the		14	Can I get an official vote on that?	
15	RAC community even from the audience, if		15		
16	anybody with the RAC has any opposition		16	The vote would be to implement the new	
17	to that, or if it's acceptable. If you		17	guidelines retroactive to April 1st. All	
18	understand it, or you have any questions		18	in favor?	
19	about it.		19	(All responded "Aye".)	
20	MR. IVEY:		20	MR. GAUBERT:	
	I went through it with a fine-		21	Any opposed?	
21			22	(No response.)	
	toothed comb and looked at it as far as			LAB CAMPERT	
21	our invoicing goes to see is there any		23	MR. GAUBERT:	
21 22			23 24	MR. GAUBERT: I think it's unanimous that we go back to April 1st and implement the	

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		Page 25			Page 27
1	revisions to the guidance document.		1	They won't check it off, because they	
		* 1	2	think there might be another application	
3			3	coming down the line. So this was a way	
4		•	4	for us to kind of go through and check	
5			5	and see sites that were actually closed	
6			6	that were active in our system. And a	
7			7	number of them were ones that were deemed	
, B			8	active without caps. Because an	
وا			9	investigation had been done and they've	
10			10	been recapped out, or some other	
11			11	mechanism. So this is just us cleaning	
12			12	up our database.	
			13	MR. GAUBERT:	
13	1 0000000000000000000000000000000000000		14	Okay. I got it this time. Okay.	
14	•			So that was a cleanup?	
15	•		15	MR. JEFF BAKER:	•
16	5 5		16		
17	•		17	Yes, sir. That's kind of where we	
18	•		18	are.	,
19	•		19	MR. GAUBERT:	*
20	•	-	20	Okay. And how will it affect some	
21			21	funding?	
22	•		22	MR. JEFF BAKER:	
23			23	Well, it's going to affect the	
24	Can you go over that one more time		24	liability calculation for the active	
25	for me. I missed it.		25	without caps. Right now what we're doing	
-		Dana 26		-	
		Page 26			Page 28
1	MR. JEFF BAKER:		1	is, we're taking the total number of	
2	Okay.		2	those sites, estimating what an average	
3	MR. SAGNIBENE:		3	site would cost, and using that to	
4					
5	Explain it a little bit simpler.		4	develop a liability cost estimate for the	
	Explain it a little bit simpler. MR. GAUBERT:		4 5	develop a liability cost estimate for the obligation.	
6	· · · · · · · · · · · · · · · · · · ·		_		
6	MR. GAUBERT:		5	obligation.	
1	MR. GAUBERT: Yes.		5	obligation. MR. SAGNIBENE:	
7	MR. GAUBERT: Yes. MR. JEFF BAKER:		5 6 7	obligation. MR. SAGNIBENE: So, Jeff, this forces them into	
7 8	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third		5 6 7 8	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right?	
7 8 9	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries,		5 6 7 8 9	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER:	
7 8 9 10	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually		5 6 7 8 9	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER: Sir?	
7 8 9 10	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually closed and NFA'd. An example of one of		5 6 7 8 9 10	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER: Sir? MR. SAGNIBENE:	
7 8 9 10 11	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually closed and NFA'd. An example of one of the reports would be active sites that we		5 6 7 8 9 10 11	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER: Sir? MR. SAGNIBENE: This forces them into giving us a	
7 8 9 10 11 12	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually closed and NFA'd. An example of one of the reports would be active sites that we haven't received an application for in		5 6 7 8 9 10 11 12	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER: Sir? MR. SAGNIBENE: This forces them into giving us a plan for cleanup?	
7 8 9 10 11 12 13	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually closed and NFA'd. An example of one of the reports would be active sites that we haven't received an application for in the last five years, or more. Some of		5 6 7 8 9 10 11 12 13	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER: Sir? MR. SAGNIBENE: This forces them into giving us a plan for cleanup? MR. JEFF BAKER: Not this aspect of it. No, sir.	
7 9 10 11 12 13 14	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually closed and NFA'd. An example of one of the reports would be active sites that we haven't received an application for in		5 6 7 8 9 10 11 12 13 14	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER: Sir? MR. SAGNIBENE: This forces them into giving us a plan for cleanup? MR. JEFF BAKER:	
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7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. GAUBERT: Yes. MR. JEFF BAKER: Yes, right. We started in the third quarter writing some data queries, looking for potential sites in our system, our database, that were actually closed and NFA'd. An example of one of the reports would be active sites that we haven't received an application for in the last five years, or more. Some of these were five, eight, seven years old where we had not received an application. That list was given to the staff. And they've been going through our document records to determine whether NFAs had		5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	obligation. MR. SAGNIBENE: So, Jeff, this forces them into giving us a plan basically, right? MR. JEFF BAKER: Sir? MR. SAGNIBENE: This forces them into giving us a plan for cleanup? MR. JEFF BAKER: Not this aspect of it. No, sir. What we're doing right now, this is a data cleanup. What you're talking about is the other issue we were dealing with with the - MR. SAGNIBENE:	
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1	MS. STAFFORD:		1	determination is a lot of - right now,	
2	Do you remember in the last couple		2	it's not active in our system until we	
3	of quarters, we have reported additional		3	receive the first application. However,	
4	liabilities? You know, they went up		4	there are sites that have been deemed	
5	drastically because we had not been		5	eligible, but we haven't received an	
6	counting a liability on the sites without		6	application on yet. So we're also	
7	caps. And we started adding that		7	looking at ways of bringing them into	
В	calculation in. So what this is going to		8	this determination as well.	
9	result in is a change as we pull sites		9	MR. GAUBERT:	
10	out of that because they're NFA'd. It'll		10	Are any of these considered slow	
11	reduce the liabilities.		11	sites, or is that something separate?	
12	MR. GAUBERT:		12	MR. JEFF BAKER:	
13	Okay. So it'll reduce our		13	No, sir. Those sites are in this	
14	liabilities, right?		14	batch.	
15	MS. STAFFORD:		15	MR. GAUBERT:	
16	Yes.		16	That'd be slow to close beyond	
17	MR. GAUBERT:		17	acceptable	
18	Do you have an idea or estimate of		18	MR. JEFF BAKER:	
19	what that amount would be?		19	Yes, sir	
20	MR. JEFF BAKER:		20	MR. GAUBERT:	
21	Not right now. We're -		21	means, sites that are within	
22	MR. SAGNIBENE:		22	MR. BAKER:	•
23	Well, how many sites, Jeff? Do you		23	Right. But that was one of the	
24	know how many sites have fallen?		24	reasons we wanted to do this was to help	'
25	MS. STAFFORD:		25	us isolate those sites and not bring in	
		Page 30		•	Page 32
1	How many so far? We're not done		1	sites that have actually already been	
2	with our data cleanup, but -		2	closed or NFA'd. We didn't want to	
3	MR. JEFF BAKER:		3	confuse the issue.	
4	We're still in the process of the		4	MR. GAUBERT:	
5	data cleanup. But we've so far knocked		5	Okay. Vince, are we going to - you	
6	it from somewhere around 330 plus sites		6	know, I know there's an issue about slow	
7	to around 170 plus sites.		7	sites that I think we want to get to in	
8	MR. GAUBERT:		8	maybe the other business.	
9	About half. About almost 50		9	MR. SAGNIBENE:	
10	percent.		10	Yes. I think that's the next thing	
11	MS. STAFFORD:		11	he was going to talk about. What he did	
12	Yes.		12	is, he did a data pull and pulled a bunch	
13	MR. JEFF BAKER:		13	of sites that basically we were spending	
14	It's about 50 percent of that		14	a lot of money on and we didn't have a	
15	particular classification, yes, sir.		15	plan yet, you know. And we require four	
16	MR. GAUBERT:		16	quarters of information. And what we're	
17	You have about 170 sites left to go?		17	going to do is on those sites - 1 mean,	
18	MR. JEFF BAKER:		18	some of them stick out. Basically, if	;
19	That are currently in our system		19	you have four quarters of information and	
20	that are active without caps.	,	20	you don't have a plan or an extenuating	
21	MR. GAUBERT:		21	circumstance, we're going to hold the	
22	And that continues to be worked on?		22	money. No more evaluations, you know.	•
23	MR. JEFF BAKER:		23	Because, I mean, if you want to just	
24	•••				
	We're continuing to work on that		24	study something and study something, you	
25	list. The other aspect of this		24 25	can chew into the budget, you know.	

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,	MR. GAUBERT:		1	third quarter of the fiscal year 2012.	
2		ł	2.	At the end of March of 2012, the trust	
] 3			3	fund had 138 pending applications to	
4	4 11 1 1 mm (1 1 1 1 6	l	4	process. The trust fund received 318	
5			5	applications during this period, totaling	•
6		-	6	\$3,570,067. During that period, 38	
7			7	applications were returned with	•
8			8	deficiencies. The trust fund processed	
وا		1	9	220 applications for payment during the	•
10			0	fiscal quarter, totaling \$3,164,783. The	
11]	1	outstanding corrective action plan budget	
12	· · · · · · · · · · · · · · · · · · ·		2	and estimated cost to reach closure for	
13			3	all the sites in the corrective action	
14				phase at the end of March was	
15	and the second s				•
		1		\$32,099,153. The additional obligation	
16			6	recognized for the non-capped sites at	
			7	that time was \$52,804,811. The total	
18	•	1		amount requested for the 138 pending	
19		1		applications was \$1,624,514. The total	
20	Okay. MR. JEFF BAKER:	2		amount of the corrective action plans and	
21		2:		the pending applications was \$1,032,612.	
22	Well, I mean, at this point what we	2:		If you'll note the legal sized page,	
23	were trying to do is develop some	2:		the last page of your packet, the total	
24	protocols for how to deal with that. So	2		number of trust fund sites that have	
25	we actually weren't prepared to speak on	2	3	received a no further action status	
	Pag	≥ 34			Page 36
1	that today. But we can.	1 :	1	during this period is 26. The number of	
2	MR. SAGNIBENE:			potential trust fund sites that were	
3	Well, we're going in that direction	ſ		reviewed and made eligible in this period	l.
4	is what we're going to do with the slow			was two.	
5	sites.	و ا	5	MR. GAUBERT:	
6	MR. GAUBERT:	6	5	Okay. Any questions?	
7	Yes. Let's let you finish your		7	(No response.)	
8	report, and then let's have a discussion	Ι.	3	MR. GAUBERT:	.
9	maybe around that.	و ا		Okay. Thank you for that report,	
10	MR. SAGNIBENE:	10)	Jeff. Any comments on any other - does	İ
11	Okay.	11		that complete your report?	
12	MR. JEFF BAKER:	12		MR. JEFF BAKER:	
13	Actually, that's finishing up the	13		Yes, sir. It sure does.	
14	status report and the guidance document	14		MR. GAUBERT:	
15	revision. We can go into the balance	15		Okay. Thank you very much. I was	1
16	explanation now, if you'd like.	16		notified a little earlier that when we	
17	MR. GAUBERT:	17		get to Mr. Theriot's part, we're going to	1
18	Okay. Any questions on that part of	18		have to go into executive session for	-
19	it from anybody?	19		about five minutes and we would have to	-
20	(No response.)	20		ask non-board members or non, I guess,	1
21	MR. GAUBERT:	21		department personnel that are pertaining	
22	Let's go into the balance.	22		to this to leave the room for about five	
23	MR. JEFF BAKER:	23		minutes while we go into executive	
24	Let's refer to tab six of your	24		session. And then we'll come get you in	
25	packets. These are the figures for the	25		a few minutes. So I think that would be	j
1	•	1		and the state of t	1

, , , , ,	. 7, 2012	Page 37			Page 39
_	ya'll guys out in the audience.	_	1	us to be more efficient. So it didn't	
1	(A brief recess followed.)		2	affect ya'll's fund at all.	
2	MR. THERIOT:		3	MR. GAUBERT:	
3	All right. And as the last part of		4	Are there any questions for Vince	
4	our report that doesn't have to be in		5	around HB822? And does everybody	
5	executive session, we've received no new		6	understand what HB822 is? It's a - the	
6			7	legislature is sweeping the environmental	
7	third party claims, since our last		8	trust fund and to the tune of, what,	
8	meeting. MR. GAUBERT:		9	\$2.1 million and something. It was \$1.9,	
9	Okay. Very good. Did we lose	Ì	10	and then it was raised \$250,000. And,	
10			11	you know, the consensus is that it will	
11	Vince?		12	not touch the underground storage tank	
12	MS. ISAACKS:		13	trust fund.	
13	He's talking to Todd.		14	MR. SAGNIBENE:	
14	MR. GAUBERT:			No, it won't.	•
15	Okay. I think the next I thought		15	MR. GAUBERT:	
16	we lost you there for a minute, Vince.		16	All right. It's only coming out of	
17	MR. SAGNIBENE:		17	the environmental trust fund?	
18	Oh, no.		18	MR. SAGNIBENE:	
19	MR. GAUBERT:		19		
20	Okay. Thank you, Perry, for your		20	Well, actually it's cash balance	
21	report. Moving to other business right		21	brought forward.	
22	now, there's a few items in other		22	MR. GAUBERT:	
23	business I think we need to discuss and		23	And there was some concern that that	
24	get on the record. And, Vince, if you		24	was a round about way for the legislature	
25	could, I think this question would be for		25	to get to the trust fund by sweeping the	
-		Page 38			Page 40
1	you, is, if you could discuss HB822, the		1	environmental trust fund, and then the	
2	sweep fund into the ETF and so forth.		2	environmental trust fund reimbursing	
3	MR. SAGNIBENE:		 3	the underground storage tank trust fund	
4	Okay. They swept \$1.9 million from		4	reimbursing the environmental trust fund.	
5	us. And that's part of the cuts. You		5	And your opinion is that's not the case	
6	know it was a very contentious session.		6	at all?	
7	Everybody took some big hits. Basically		7	MR. SAGNIBENE:	
8	having some money, some cash fall that we		8	That is not the case at all. And	
9	had, okay. And a lot of people		9	we've had several discussions about our	
10	concerned, did they sweep the UST fund?		10	(inaudible) funds. And the commissioner	
11	They cannot sweep the UST fund. It's in		11	and everyone knows they can't sweep that	
			12	fund.	
12	and the state of t		13	MR. GAUBERT:	
13	cannot be - it can't be touched. Now,		14	Right. It's protected.	
14			15	MR. SAGNIBENE:	
15	6.1 . 6 . 111.		16	They've been pretty generous to us	
16			17	on the sweeps. I must admit. Because we	
17			18	- you know, in the environmental trust	
18	·		19	fund, we get about \$55 million. That's	
19			20	where all our fees go. And the only	
20			21	thing that ya'll contribute is the	
21			22	registration, which is about \$670,000.	
22			22	MR. GAUBERT:	
23	•		23	Right.	
24			25	MR. SAGNIBENE:	
25					

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		Page 41			Page 43
1	Eight-tenths of a cent goes into the	,	1	done, we got four quarters of information	
2	UST fund, which is protected.		2	and then we wanted a plan. And if that	
3	MR. GAUBERT:		3	hadn't happened, or if there's no	
4	It's not our deal when the		4	extenuating circumstances, we're not	
5	legislators would sweep the environmental		5	going to pay anymore until you come up	
6	trust fund. But, you know, again our		6	with some sort of corrective action. And	
7	concern is the underground storage tank -		7	I think we're going to charge the team	
8	·		8	leader in looking that over. And Tom	
وا	MR. SAGNIBENE:		9	we talked it over with Tom. And Tom	
10	And I explained it to them. 1		10	thought it was a good idea, too. So he's	
11	explained it to them like this. I said		11	into it also.	
12	this is an insurance policy for the tank	•	12	MR. HARRIS:	
13	owners. If something happens, they pull		13	And right now, we're just at the	
14	on this policy.		14	point of exactly how we trigger that and	
15	MR. GAUBERT:		15	how we track it. You know, provisions	•
16	Right.		16	for extenuating circumstances, and a	
1	MR. SAGNIBENE:		17	little common sense where it applies.	
17	And I turned the question around. I		18	MR. SAGNIBENE:	
18	said, if you pay your insurance premiums		19	And we'll listen to anybody. You	`
19	and you get in a wreck and you get sued,		20	know, we'll listen to anybody, you know,	į
20	and you get in a wreck and you get steet, and they said you don't have any		21	that has a good - some good	
21	insurance, how would you feel? And		22	circumstances. But we thought the best	
22	everybody understands that.		23	way, I guess, to make everybody	
23	MR. GAUBERT:		24	compliant, to push them along, was just	,
24	Right. We wanted to get that clear.		25	to basically say we're not going to pay	
25	Alght. We wanted to get that clear.				
		Page 42			Page 44
	Okov. Any questions for Vince around	Page 42	1	anymore, you know, unless ya'll can come	Page 44
1	Okay. Any questions for Vince around	Page 42	1 2	anymore, you know, unless ya'll can come up with something else.	Page 44
2	822?	Page 42	1 2 3	anymore, you know, unless ya'll can come up with something else. MR. IVEY:	Page 44
2	822? (No response.)	Page 42	2	up with something else. MR. IVEY:	Page 44
2 3 4	822? (No response.) MR. GAUBERT:	Page 42	2	up with something else. MR. IVEY: Can we get a list of those sites?	Page 44
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		Page 45			Page 47]
1	waited too long to do this. There is a		1	information regarding allowable and non-		
2	provision in the law that says that the		2	allowable costs acceptable rates." I'm		1
3	department approves the most efficient		3	not		l
4	and cost-effective manner of cleaning up		4	MR. IVEY:		1
5	the site. Generally, if the site sits		5	No. It was on the first page.		۱
6	too long, you get the contamination plume		6	MR. JEFF BAKER:		l
7	spreads larger, and it can become more		7	All right. I got you. Here it is.		
8	expensive to clean up. So we could look		8	"Time is of an essence. Releases shall		١
9	at some of those things for speeding up,		9	be assessed and moved to remediation as		l
10	like because we can say that this isn't		10	soon as possible to stop the spread of		l
11	the most efficient or cost-effective way,		11	contamination. Extension requests for		
12	so you don't get paid for that. It's		12	required submittal shall not be granted		1
13	we're looking at those things now.		13	unless for reasons such as force		Ì
14	MR. IVEY:		14	(inaudible) events, e.g. hurricanes,		l
15	Well, isn't there a provision in the		15	tomadoes, floods, fires, et cetera, or		ļ
16	guidance document that was just added		16	for the department's request for further		l
17	that if the site is slow and something is		17	investigation and/or data evaluation.		Ì
18	requested by the department and not		18	Failure to meet submittal deadlines may		l
19	received that it might not pay for money		19	result in increased costs incurred to the		١
20	passed that. It's on the first page, new		20	trust fund and diminish the cost		İ
21	edition to the new guidance document.		21	effectiveness of the corrective action.		l
22	MR. JEFF BAKER:		22	Therefore, failure to timely submit the		l
23	I don't recall that. I'll have to		23	required report may result in enforcement	-	[
24	•		24	action and/or determination by the		
25	MR. IVEY:		25	department to disallow the work for the		
<u> </u>		D 45				ļ
		Page 46			Page 48	ĺ
1	It kind of addresses the slow sites.		1	trust fund reimbursement."		l
2	MR. JEFF BAKER:		2	MR. IVEY:		ĺ
3	I'll have to go back and research -		3	That kind of addresses the slow		
4	MR. THERIOT:		4	sites.		
5	We may've made statements like that.		5	MR. FRANKLIN:		l
6	MR. IVEY:		6	And we're looking at putting that		
7	Yes.		7	language in some of our form letters that		ľ
8	MR. THERIOT:		8	go out to responsible parties.		
9	The enforceability of those		9	MR. THERIOT:		ļ
10	statements though is -		10	Right.		
11	MR. IVEY:		11	MR. GAUBERT:	•	
12	It's in there. It's in the guidance		12	But it would be difficult to		
13	document.		13	pinpoint to four quarters of activity and		
14	MR. BAKER:		14	with no correction plan in place. You		
15	I think what you're referring to is		15	know, the statement is it's an	•	
16	this paragraph. It says, "Because there			ambiguous statement. It's open-ended.		
17			16	_ ·		
18	is a limited amount of funds available to		17	It doesn't, you know, drill down to say		
19	is a limited amount of funds available to perform cleanups, it is necessary to		17 18	It doesn't, you know, drill down to say it's four quarters and then we're going	·	
20	is a limited amount of funds available to perform cleanups, it is necessary to control costs for investigation/		17 18 19	It doesn't, you know, drill down to say it's four quarters and then we're going to stop. And I think that would be	·	
21	is a limited amount of funds available to perform cleanups, it is necessary to control costs for investigation/remediation activities. The purpose of		17 18 19 20	It doesn't, you know, drill down to say it's four quarters and then we're going to stop. And I think that would be really difficult to do. So that would		
22	is a limited amount of funds available to perform cleanups, it is necessary to control costs for investigation/ remediation activities. The purpose of this guidance document is to provide		17 18 19 20 21	It doesn't, you know, drill down to say it's four quarters and then we're going to stop. And I think that would be really difficult to do. So that would seem more of an enforcement or		
23	is a limited amount of funds available to perform cleanups, it is necessary to control costs for investigation/ remediation activities. The purpose of this guidance document is to provide members of the regulated community and		17 18 19 20 21 22	It doesn't, you know, drill down to say it's four quarters and then we're going to stop. And I think that would be really difficult to do. So that would seem more of an enforcement or encouragement type process to the RAC		
1	is a limited amount of funds available to perform cleanups, it is necessary to control costs for investigation/ remediation activities. The purpose of this guidance document is to provide members of the regulated community and those involved in providing service to		17 18 19 20 21 22 23	It doesn't, you know, drill down to say it's four quarters and then we're going to stop. And I think that would be really difficult to do. So that would seem more of an enforcement or encouragement type process to the RAC community.		
24	is a limited amount of funds available to perform cleanups, it is necessary to control costs for investigation/ remediation activities. The purpose of this guidance document is to provide members of the regulated community and those involved in providing service to them with general information concerning		17 18 19 20 21 22 23 24	It doesn't, you know, drill down to say it's four quarters and then we're going to stop. And I think that would be really difficult to do. So that would seem more of an enforcement or encouragement type process to the RAC community. MR. SAGNIBENE:		
į.	is a limited amount of funds available to perform cleanups, it is necessary to control costs for investigation/ remediation activities. The purpose of this guidance document is to provide members of the regulated community and those involved in providing service to		17 18 19 20 21 22 23	It doesn't, you know, drill down to say it's four quarters and then we're going to stop. And I think that would be really difficult to do. So that would seem more of an enforcement or encouragement type process to the RAC community.		

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1	We want to do an encouragement.		1	MR. GAUBERT:	
2	MR. IVEY:		2	Okay. The entire RAC community is	
3	Well, it's going to be in the site		3	not an issue. The entire RAC community	
4	investigation request with a cap request		4	- you know, one of the sites would be	•
5	letter. It's going to tell you if you		5	the RAC that's assigned to that site	
6	don't get this in by this date, we're not		6	would see that their site is on that list	
7	going to pay you.		7	and do something to speed it up.	
8	MR. SAGNIBENE:		8	MR. IVEY:	•
وا	And the team leader should be on top		9	Right. They would need to contact	
10	of that. Whomever the team leader is		10	their team leader and get something done.	
11	knows how many quarters of information we		11	MR. GAUBERT:	
12	have on what site.		12	Okay. Thank you for that. The	
13	MR. GAUBERT:		13	legislative - there was a question	
14	Yes.		14	brought up about the legislative audit.	
15	MR. IVEY:		15	And I think we missed a little earlier.	
16	When can we get a list that you		16	Is that ongoing?	
17	have?		17	MS. STAFFORD:	
18	MR. JEFF BAKER:		18	Actually, we have had the exit	
19	We can send it to ya'll tomorrow.		19	conference, the exit meeting with the	
20	MR. SAGNIBENE:		20	legislative auditors. We're finalizing a	
21	We have a partial list now.		21	few documents. It should be released	
22	MR. GAUBERT:		22	fairly soon. They have the distribution	
23	So the action will be to keep the	•	23	list. The board will be getting it. The	
24	slow sites that you have, you know, to		24	board that served for the fiscal year	
25	get that out to the RAC community to help		25	ending June 30, 2011, the current board	
				3 , , ,	
		Page 50			Page 52
1	speed that along, and with an	,	1	as well. So all members will be getting	
2	encouragement.		2	that document. It hasn't been released	
3	MR. JEFF BAKER:	·	3	yet. I will get a - an email when it	ļ
4	Are you asking us to send it to the		4	is. But I expect it very soon. Probably	
5	board members or -		5	a couple of weeks.	
6	MR. SAGNIBENE:		6	MR. GAUBERT:	
7	You want a list of facilities or a		7	Okay. Thank you.	
8	list of who the RAC is?		8	MS. STAFFORD:	
9	MR. IVEY:		9	Oh, and there were no findings. It	.
10	Just a list of the facilities.		10	was a clean audit. So you'll know that.	
11	MR. SAGNIBENE:		11	MR. GAUBERT:	
12	inte di Qinbbinb.		1		
1 + 2	Okay. We got that. We have a		12		i
13			l	Okay. Great. Yes. Any other	
	Okay. We got that. We have a		12		
13	Okay. We got that. We have a partial list. We can get you that.		12 13	Okay. Great. Yes. Any other business that anybody would like to bring	
13	Okay. We got that. We have a partial list. We can get you that. MR. JEFF BAKER:		12 13 14	Okay. Great. Yes. Any other business that anybody would like to bring in front of the board today?	
13 14 15	Okay. We got that. We have a partial list. We can get you that. MR. JEFF BAKER: So what you're asking us - for us		12 13 14 15	Okay. Great. Yes. Any other business that anybody would like to bring in front of the board today? (No response.)	
13 14 15 16	Okay. We got that. We have a partial list. We can get you that. MR. JEFF BAKER: So what you're asking us - for us to create this list and send it to the		12 13 14 15 16	Okay. Great. Yes. Any other business that anybody would like to bring in front of the board today? (No response.) MR. GAUBERT: If I'm not mistaken, I think there	
13 14 15 16	Okay. We got that. We have a partial list. We can get you that. MR. JEFF BAKER: So what you're asking us - for us to create this list and send it to the board members?		12 13 14 15 16	Okay. Great. Yes. Any other business that anybody would like to bring in front of the board today? (No response.) MR. GAUBERT:	
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1	Yes.		1	CERTIFICATION
2	MS. STAFFORD:		2	 the undersigned reporter, do heraby
3	If you have questions.	İ	3	certify that the above and foregoing is a
4	MR. GAUBERT:		4	true and correct transcription of the
5	Informal meeting after this.		5	stenomask tape of the proceedings had
6	Interested parties for stage two will be		6	herein, taken down by me and transcribed
,	after this.		7	under my supervision, to the best of my
8	If there's no other business to		8	ability and understanding, at the time and
9	bring before the board, I'll ask for		9	place hereinbefore noted, in the above
10	somebody to make a motion to adjourn.		10	entitled cause.
11	MR. HARRIS:		11	I further certify that the witness was
i	Motion to adjourn.		12	duly sworn by me in my capacity as a
12	MR. GAUBERT:		13	Certified Court Reporter pursuant to the
13	Mr. Tom.		14	provisions of R.S. 37:2551 et seq. in and
14	MR. KEITH BAKER:		15	for the state of Louisiana; that I am not of
15	Second.	•	16	counsel nor related to any of the counsel of
16	MR. GAUBERT:		17	any of the parties, nor in the employ of any
17			18	of the parties, and that I have no interest
18	We stand adjourned. Thank you. THE MEETING ADJOURNED AT 1:52 P.M.		19	in the outcome of this action.
19	THE MEETING ADJOURNED AT 1.32 P.M.		1	
20			20	I further certify that my license is in
21			21	good standing as a court reporter in and for
22			22	the state of Louisiana.
23			23	
24			24	Lori Overland, C.C.R.
25			25	₩ 97083
-		Page 54	1	
		,	}	•
1	REPORTER'S PAGE		1	
2	I, Lori B. Overland, Certified Court			
	Reporter, in and for the State of Louisiana,		ŀ	
1	the officer, as defined in Rule 28 of the			
	Federal Rules of Civil Procedure and/or		1	
	Article 1434(b) of the Louisiana code of			
	Civil Procedure, before whom this swom			·
	testimony was taken, do hereby state on the		1	
	Record		1	•
10	That due to the interaction in the			
	spontaneous discourse of this proceeding,		-	
	dashes () have been used to indicate			
	pauses, changes in thought, and/or talk			
	overs; that same is the proper method for a			
L	Court Reporters's transcription of			,
	proceeding, and that the dashes () do not			
1	indicated that words or phrases have been			
	left out of this transcript;			
19	•			
	not be verified through reference material			
	have been denoted with the phrase			
22	•			•
23				
24	" 00000			
25	# 97083			
- 1			1	

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	1	i	1	

Underground Motor Fuels Trust Fund

Prepared: File: MFTF 08-Aug-12

FY 2011-2012 ·

Report to the La. Motor Fuel Underground Storage Tank Trust Fund Advisory Board For Period Ending June 2012 (Final)

REVENUE:

REVENUE:				
Transfer from FY 11		,		47,949,801.26
	- -	DEPOSITS	TOTAL	
MONTHLY DEPOSITS	•			
July, 2011		937,607.98	937,607.98	
August, 2011		1,856,694.03	1,856,694.03	
September, 2011		2,343,611.81	2,343,611.81	•
October, 2011		2,247,600.05	2,247,600.05	
November, 2011		433,918.66	433,918.66	
December, 2011		1,374,822.38	1,374,822.38	
January, 2012		2,539,038.83	2,539,038.83	
February, 2012	•	2,511,269.28	2,511,269.28	•
March, 2012		2,286,397.60		
April, 2012		1,378,550.85	2,286,397.60	
May, 2012		1,983,236.99	1,378,550.85	
June, 2012			1,983,236.99	
July, 2012 (Prior Year)		2,216,368.59	2,216,368.59	
out, 2012 (File Four)		184,202.07	184,202.07	•
	_	0.00 22,293,319.12	0.00 22,293,319.12	
		,	,	
LESS: Transfer to ETF for FY 12 expenditures LESS: Warrants from Fund for Payments of Actual	Expenditure	es	_	(2,095,005.37) (12,503,900.91)
End of Month Cash Balance before Encumbrances				55,644,214.10
LESS: Liability on Current Sites	,			63,463,113.00
Ending Month Balance				(7,818,898.90)
EXPENDITURES:			. ,	
LAF ENDITORES.				BUDGETED
(Obj 3740	0, 3745)	(Obj 3650)	Totals	25,000,000.00
July, 2011	0.00	633,281.50	633,281.50	20,000,000.00
August, 2011	0.00	1,458,688.37	1,458,688.37	
September, 2011	0.00	1,428,921.19	1,428,921.19	
October, 2011	211.65	678,718.29	678,929.94	•
November, 2011	3,687.50	832,582.71	836,270.21	
December, 2011	0.00	722,669.58	722,669.58	
January, 2012	0.00	561,427.40	561,427.40	
February, 2012	0.00	1,554,980.80	1,554,980.80	
March, 2012	217.50	1,188,829.35	1,189,046.85	
April, 2012	0.00	944,014.38	944,014.38	
May, 2012	0.00	873,640.00	873,640.00	
June, 2012 92	2,308.76	486,520.61	578,829.37	
1 1	,250.00	1,041,951.32	1,043,201.32	
Total Expenditures to Date: 97	7,675.41	12,406,225.50	12,503,900.91	
Balance of Budget	•			12,496,099.09

Prepared: File: MFTF

08-Aug-12

Balance Sheet for Interest Revenue & Abandoned Tank Expenses

For Period Ending June 2012 (Final)

INTEREST REVENUE DESIGNATED FOR ABANDONED TANKS

	INTEREST	ENCUMBRANCES	EXPENSES	TOTAL
		-		
FY 2001-2002	681,123.00	0.00	0.00	681,123.00
FY 2002-2003	341,892.00		28,835.00	313,057.00
FY 2003-2004	205,058.00	0.00	251,330.60	(46,272.60)
FY 2004-2005	390,174.00	0.00	67,825.70	322,348.30
FY 2005-2006	826,358.00	0.00	0.00	826,358.00
FY 2006-2007	1,330,647.00	0.00	474,000.00	856,647.00
FY 2007-2008	1,306,199.00	0.00	180,768.70	1,125,430.30
FY 2008-2009	647,852.00	0.00	153,876.86	493,975.14
FY 2009-2010	225,353.00	0.00	71,693.20	153,659.80
FY 2010-2011	172,866.00	0.00	0.00	172,866.00
FY 2011-2012	131,465.00	0.00	0.00	131,465.00
Balances	6,258,987.00	0.00	1,228,330.06	5,030,656.94
Reimbursement Received for				· · · · · ·
Randazzo's Amoco Site Cost (3/1/11)	117,521.58			117,521.58
Balances With Reimbursement	6,376,508.58	0.00	1,228,330.06	5,148,178.52
A control of the second of the				
EXPENDITURE HISTORY	TOTAL	ENCUMBRANCES	EXPENSES	BALANCE
	CONTRACT AMT	AGAINST FUND SINCE INCEPTION	ON CONTRACT	J. 12 11 02
Expenditures:				
Burt's Chevron Site	247 004 00	047.004.00	0.47.004.55	_
Burt's Chevron Site - Corrective Action*	347,991.30	347,991.30	347,991.30	0.00
Randazzo's Amoco Site	652,008.70	652,008.70	652,008.70	0.00
Whitney Food Store Site	117,320.50	117,320.50	117,320.50	0.00
Quick Silver Convenicence Store Site	69,793.20	0.00	69,793.20	0.00
Former Amite City Ford Body Shop Site	41,216.36	41,216.36	41,216.36	0.00
Tomici Amite Oity Fold Body Shop Site	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	1,228,330.06		1,228,330.06	

The contract for Burt's Chevron Site Corrective Action totals \$1,185,000. \$652,008.70 will be paid from the MFTF to reach the maximum of \$1,000,000 per site. The remaining \$532,991.30 will be paid from the HWSCF.

FY11 Ending Balance FY12 Ending Balance Net Difference	Net Difference	Expenses (Up)	Differences from FY11 to FY12: Fees (Down) Federal (Up) Total Revenue (Up)	Program Balance - End of Year	Expenditures	Expenditures: Department Expenditures for UST (R.C. 0057) UST Grant Expenditures 30% of collections to Indirect Cost UST Site Specific Expenditures	Revenue Available for Program	Revenues: Environmental Trust Fund (Org 5800) Federal		ETF Ending Balance - UST
(2,144,210.74) (2,095,005,37) 49,205,37	(49,205.37)	<u>320,479.78</u>	Total (43,819.85) 413,505.00 369,685.15	(2,095,005.37)	6,077,632.56	2,296,929,08 3,429,903,81 189,263,16 161,536,51	3,982,627.19	630,877.19 3,351,750,00		Actual
	(290,307.17)	60,471,83	Hurricane 0.00 350,779.00 350,779.00	0.00	0.00	0.00	0.00	0.00 0.00	0.00	2011-2012 Projected
	241,101.80	260,007,95	Net Operating (43,819.85) 62,726.00 18,906.15	(2,095,005.37)	6,077,632.56	2,296,929.08 3,429,903.81 189,263.16 161,536.51	3,982,627.19	630,877.19 3,351,750.00	0.00	Total
			·	(2,144,210.74)	5,757,152.78	2,359,866.04 3,189,565.85 202,409.11 5,311.78	3,612,942.04	674,697.04 2,938,245.00	0.00	2010-2011 Actual
				(2,204,870.12)	5,061,850.73	2.212,449.94 2.534,540.58 213,751.98 101,108.23	2,856,980.61	712,506.61 2,144,474.00	0.00	2009-2010 Actual
				(2,049,808.37)	5,460,010.63	2,173,432.30 3,085,637.74 200,386.58 554.01	3,410,202.26	667,955.26 2,742,247.00	0.00	2008-2009 Actual
				(2,241,679.24)	6,123,922.66	2,187,541.98 3,686,425.65 249,955.03	3,882,243.42	833,183.42 3,049,060.00	0.00	2007-08 Actual
				(1,466,926.03)	3,246,247.27	1,341,224.08 1,690,550.31 213,088.87 1,384.01	1779.321.24	710,298.24 1,069,025.00	0.00	2006-07 Actual
			٠.,	(1,777,698.36)	3,345,642,77	1,317,956.38 1,819,117.41 207,991.02 577.96	1.567.944.41	693,303.41 874,641.00	.0.00	2005-06 Actual
		-	-	(1,639,018.13)	3,340,354.24	1,444,156.68 1,681,635.77 212,007.33 2,554.46	1.701.336.11	706,691.11 994,645.00	0.00	2004-05 Actual

FINANCIAL SERVICES DIVISION JUNE 2012 REPORT OF ACTIVITIES OF THE MOTOR FUELS TRUST FUND CURRENT ACTIVITIES

Number of applications remaining to be processed	185
Number of sites currently reimbursed by Trust Fund	348
Number of sites with last application received	10
ELIGIBILITIES	
Number of sites deemed eligible (full and partial eligible sites report)	6

APPLICATIONS

	PPLICA	TIONS RECEIVE		APPLICATIONS PROCESSED							
			APP	S RETURNED	RNED APPS PROCESSED WITH PAYMENT						
MONTH	NO.	AMOUNT REQUESTED	NO.	AMOUNT REQUESTED	NO.	AMOUNT RECOM./PMT.	AMOUNT NOT PAID	DEDUCTIBLE AMOUNT	TOTAL AMOUNT PROCESSED		
Jul	62	\$1,390,243	_17	\$225,620	94	\$1,670,858	\$46,875	\$75,000	\$2,018,353		
Aug	112	\$1,463,295	_17	\$224,189	98	\$1,586,530	\$29,377	\$40,131	\$1,880,227		
Sep	99	\$1,342,608	13	\$157,753	73	\$1,259,694	\$42,768	\$10,000	\$1,470,215		
Oct	72	\$1,411,261	19	\$150,482	76	\$566,987	\$11,565	\$35,015	\$764,049		
Nov	128	\$1,598,973	10	\$115,643	64	\$959,967	\$14,155	\$20,000	\$1,109,764		
Dec	74	\$790,467	_17	\$337,285	89	\$849,545	\$14,152	\$0	\$1,200,982		
Jan	95	\$1,180,723	7	\$91,202	50	\$972,054	\$63,052	\$20,000	\$1,146,308		
Feb	94	\$1,146,188	20	\$182,501	62	\$1,057,293	\$14,271	\$21,055	\$1,275,121		
Mar	129	\$1,250,767	11	\$116,268	108	\$1,135,436	\$52,860	\$97,302	\$1,401,866		
Apr	110	\$907,992	16	\$314,617	90	\$783,127	\$26,759	\$16,474	\$1,140,977		
May	108	\$1,442,863	14	\$107,914	49	\$858,734	\$42,528	\$0	\$1,009,176		
Jun	104	\$1,611,286	15	\$117,901	91	\$495,224	\$32,887	\$62,372	\$708,384		
Total	1187	\$15,536,665	176	\$2,141,375	944	\$12,195,449	\$391,250	\$397,348	\$15,125,423		

^{***} Amount Not Paid - The sums shown in this column reflect ineligible costs shown in the applications.

Current sum of costs recovered FY 12		\$428
	 	<u>, , , , , , , , , , , , , , , , , , , </u>

CURRENT OBLIGATED BALANCE OF TRUST FUND

As specified by LA.R.S. 30:2195.3(A)(10)

Current Outstanding CAP Budgets and Estimated Costs to Close	\$29,829,931
Total Sum of Pending Applications	\$2,735,730
Total Sum of CAP Charges in Pending Applications	(\$1,748,001)
Non CAP obligations	\$32,645,453
Current Obligated Balance of Trust Fund	\$63,463,113

CURRENT STATUS OF THIRD PARTY SUITS

Number of New Suits Filed - Current Month	0
Number of Suits Currently Pending	5

FINANCIAL SERVICES DIVISION JUNE 2012 REPORT OF CUMULATIVE ACTIVITIES OF THE MOTOR FUELS TRUST FUND APPLICATIONS

Number of applications received	30,414		
Number of applications processed/paid	30,22		
Total sum of claims requested to date*	\$424,832,063		
Sum of claims recommended for payment **	\$310,777,607		
Sum of deductibles, disallowed costs, ineligible claims, & returned claims	\$111,688,026		
Total sum of costs recovered	\$814,182		

^{*}Does not include 1% or 2% appl. prep. fee & up front payment for treatment system.

DISBURSEMENTS FROM THE TRUST FUND

**Appl. prep. fee & up front payment for treatment systems included here.

		TO DATE	
TYPE OF DISBURSEMENT	FY 89-11	FY 12	TOTALS
Sum of claims recommended for payment **(above)	\$298,582,158	\$12;195,449	\$310,777,607
Auditor fees	\$201,506	\$0	\$201,506
Transcription of board minutes (Associated Reporters & Pat Duke)	\$10,014	\$429	\$10,443
Third party claims paid	\$1,684,810	\$0	\$1,684,810
Application mediation fee	\$8,559	\$0	\$8,559
Storage fees & Other fees	\$14,690	\$0	\$14,690
Total amount disbursed from Trust Fund	\$300,501,736	\$12,195,878	\$312,697,614

CUMULATIVE REIMBURSEMENT CLAIM ACTIVITIES

		PLICATIONS RECEIVED		APPLICATIONS PROCESSED							
								TOTAL			
FY		AMOUNT		AMOUNT	AMOUNT	AMOUNT	DEDUCTIBLE	AMOUNT			
	NO.	REQUESTED	NO.	RETURNED	RECOM/PMT	NOT PAID	AMOUNT	PROCESSED			
89	4	\$150,600	0		\$0	\$0	\$0	\$0			
90	23	\$1,057,890	4		\$128,921	\$32,646	\$30,000	\$191,567			
91	52	\$2,841,352	51		\$1,901,382	\$521,846	\$385,000	\$2,808,228			
92	201	\$9,431,152	105		\$2,684,871	\$921,354	\$670,000	\$4,276,225			
93	262	\$9,926,731	143	· -	\$3,424,880	\$2,042,748	\$584,689	\$6,052,317			
94	275	\$11,947,079	325		\$6,000,745	\$5,579,700	\$1,167,387	\$12,747,832			
95	475	\$14,067,609	224		\$6,492,292	\$1,127,096	\$580,000	\$8,199,388			
96	922	\$14,065,526	472		\$7,100,076	\$2,398,162	\$697,052	\$10,195,290			
97	1533	\$23,339,530	2288		\$25,974,983	\$12,113,508	\$2,502,887	\$40,591,378			
98	1469	\$20,720,719	1464		\$14,654,307	\$5,187,726	\$532,669	\$20,374,702			
99	1300	\$20,056,130	1345		\$15,931,156	\$3,135,951	\$540,000	\$19,607,107			
00	1505	\$22,292,073	1479		\$20,165,176	\$2,220,823	\$670,000	\$23,055,999			
01	1599	\$21,681,944	1439		\$16,251,047	\$2,261,547	\$391,972	\$18,904,566			
02	2011	\$30,596,361	2063		\$25,333,948	\$6,121,057	\$333,147	\$31,788,152			
03	2339	\$32,508,548	2240	\$7,626,436	\$23,321,322	\$511,192	\$350,100	\$31,809,050			
04	2084	\$ 26,581,671	2178	\$6,615,559	\$19,953,818	\$731,656	\$355,000	\$27,656,033			
05	2192	\$24,835,603	2217	\$5,926,823	\$18,282,085	\$751,793	\$505,000	\$25,465,701			
_ 06 ,	2094	\$22,006,509	2214	\$4,934,527	\$16,718,257	\$861,296	\$686,500	\$23,200,580			
07	2484	\$24,487,544	2503	\$6,261,117	\$16,391,867	\$1,041,782	\$1,161,324	\$24,856,090			
08	1959	\$21,816,560	1984	\$4,486,595	\$15,329,036	\$840,583	\$902,556	\$21,558,770			
09	1523	\$16,862,623	1399	\$1,997,163	\$11,998,229	\$714,255	\$420,056	\$15,129,703			
10	1451	\$18,613,108	1495	\$3,017,694	\$15,640,132	\$954,563	\$498,775	\$20,111,164			
11	1470	\$19,408,536	1477	\$2,613,899	\$14,903,628	\$672,520	\$570,321	\$18,760,368			
12	1187	\$15,536,665	1120	\$2,141,375	\$12,195,449	\$391,251	\$397,348	\$15,125,423			
Totals	30,414	\$424,832,063	30,229	\$45,621,188	\$310,777,607	\$51,135,055	\$14,931,783	\$422,465,633			

FY 90 and FY 91 - \$2,000,000 Budgeted

FY 96 - \$12,000,000 Budgeted

FY 02 thru FY 06 - \$30,000,000 Budgeted FY 07 thru FY 12 - \$25,000,000 Budgeted

FY 92 and FY 93 - \$3,000,000 Budgeted FY 94 and FY 95 - \$6,000,000 Budgeted FY 97 thru FY 00 - \$24,000,000 Budgeted

FY 01 - \$20,000,000 Budgeted

COSTS ASSO	CIATED WITH SE	TTLEMENT	OF THIRD PARTY SUITS		
	UMBER OF	SUITS	AMOUNT PAID		
	UITS FILED	SETTLED	FROMTRUST	DEDUCTIBLE	FINAL JUDGMENTS
91-12	34 .	29	\$1,684,810	\$105,000	\$1,789,810

Sites Granted "No Further Action" Status 07/01/2011 Through 06/30/2012

ndwater & Environme	6/7/2012	5/2/2012	9/13/2006	Houma ati New Orleans	2012 Coteau Exxon 2012 Shell Branded Service Stati New Orleans	68924 77183
\$28,527.50 Jones Environmental, Inc. recapped out	6/1/2012	4/26/2012	9/19/2011	Norco	2012 Big River Food & Fuel 4	70388
	4/10/2012	4/26/2012	2/4/2003	Reserve	2012 In & Out Food Store	76366
1 TO S	3/13/2012	4/26/2012	5/12/2008	Natchitoches		78619
Jones Environmental, Inc.	6/7/2012	4/26/2012	12/14/2010	4 LaPlace		78534
Jones Environmental, Inc.	6/20/2012	4/14/2012	7/8/2010	aı Norco	2012 River Parishes Oil Bulk Plaı Norco	15956
	6/1/2012	3/26/2012	5/11/2005	Breaux Bridge		73883
\$526,658.21 Jones Environmental, Inc. recovery wells with air stripper, val	6/1/2012	3/8/2012	01/31/0991	Lake Charles (2012 Mae Mae's 203	73427
_	6/7/2007	3/1/2012	3/15/1994	Montgomery	2012 RPMS # 100428	43033
Groundwater & Environme	3/14/2012	2/2/2012	10/12/2006	ati New Orleans		77184
_	2/16/2012	1/24/2012	9/18/2009	Kaplan		78691
C ITM	4/19/2011	1/23/2012	11/17/1992	Henderson		31056
Jones Environmental, Inc.	3/12/2012	12/5/2011	4/25/2011	Coushatta		15725
PPM	4/3/2007	11/29/2011	8/16/2001	Monroe		74909
	10/11/2011	10/21/2011	10/2/2008	Slidell		72435
RourCo	1/18/2012	10/19/2011	5/6/2003	Glencoe		68701
AIC	6/22/2011	10/6/2011	8/26/2002	Slidell		74007
Jesco	11/29/2011	10/5/2011	7/14/2000	Opelousas		71908
Jones Environmental, Inc.	1/19/2012	10/5/2011	2/24/2005	lowa		41824
Burk-Kleinpeter	3/9/2012	10/5/2011	7/30/1998	Des Allemand:		75381
778	1/20/2012	9/22/2011	5/15/2005	Slidell		70930
Cobb Environmental and I	4/10/2012	9/20/2011	, 7/30/2003	Chalmette	2012 E-Z Serve 7001	69123
	9/27/2011	9/14/2011	11/8/2005	o Jennings		9205
Delta	1/12/2012	9/7/2011	11/20/2009	Harahan		69321
Groundwater & Environme Recap	. 11/30/2011	9/7/2011	12/29/1999	iti Mandevill		71532
\$690,122.61 Jesco DPVE system and excavation	12/21/2011	9/7/2011	5/15/1996	Rayne		73138
Materials Management	10/26/2010	8/25/2011	1/3/1992	New Orleans	2012 Bowman Transportation	3381
Delta	1/10/2011	8/25/2011	12/8/2003	ati Avondale		4663
Engineering Associates	8/4/2011	8/25/2011	6/22/2007	Breaux Bridge		69587
Jones Environmental, Inc.	8/11/2011	8/8/2011	10/3/2007	or Shreveport		72147
\$308,814.97 SEMS excavation	5/18/2011	8/2/2011	3/31/2000	B Thibodeaux	2012 Moryant's Exxon Country B Thibodeaux	20748
\$698,289.00 Jones Environmental, Inc. groundwater recovery and treatme	10/27/2011	7/21/2011	7/16/1999	Port Allen		40367
\$874,422.68 Jesco DPVE	8/15/2011	<u></u>	Ö	й	2012 Mid-Town Exxon	25875
Reimbursed RAC AT NFA TECHNOLOGYUSED	Last Application Total \$	DATENFA'D I	1st App Received	CITY 1	FACILITY NAME	AIN FY